

City of Fall River Massachusetts
Office of the City Clerk

RECEIVED

2023 APR 21 P 12:36

ALISON M. BOUCHARD
CITY CLERK

CITY CLERK **INÊS LEITE**
FALL RIVER, MA ASSISTANT CITY CLERK

MEETINGS SCHEDULED
CITY COUNCIL CHAMBER, ONE GOVERNMENT CENTER
TUESDAY, APRIL 25, 2023
AGENDA

6:00 P.M. CITY COUNCIL COMMITTEE ON FINANCE MEETING

1. Citizen Input
2. *Proposed Fiscal Year 2024 Emergency Medical Services Budget (referred 4-11-2023)
3. *Community Development Agency Year Four Annual Action Plan (referred 4-11-2023)

7:00 P.M. REGULAR MEETING OF THE CITY COUNCIL (OR IMMEDIATELY FOLLOWING THE COMMITTEE ON FINANCE MEETING IF IT RUNS PAST 7:00 P.M.)

PRIORITY MATTERS

1. *Mayor and Councilor Laura-Jean Washington – Proposal for Bristol County ARPA funding in the amount of \$50,000 for the Veterans' Kitchen of Fall River, Inc. (objected to on 4-11-2023)
2. *Mayor and order to accept and expend MassCALL3 Substance Misuse Prevention Grant from the Mass. Department of Public Health in the revised amount of \$875,000
3. *Mayor and order to accept and expend grant from the U.S. Environmental Protection Agency Clean School Bus Rebate Program in the amount of \$3,860,000
4. *Mayor and order appropriating \$1,771,608 from Community Preservation Act funds for Fiscal Year 2024 community projects
5. *Mayor and resolution authorizing submission of the Community Development Agency's Year Four Annual Action Plan
6. *Fiscal Year 2023 Quarter 3 Budget Report

PRIORITY COMMUNICATIONS

7. *Disclosure by Special Municipal Employee – Michelle "Mimi" Larrivee

COMMITTEE REPORTS – None

ORDINANCES – None

RESOLUTIONS

8. *Committee on Ordinances and Legislation convene with the Police Chief to discuss existing commercial vehicle parking ordinance
9. *Committee on Real Estate convene with representatives from the Administration to discuss the Bank Street Armory (Municipal Veterans Memorial)

ADA Coordinator: Gary P. Howayeck, Esq. 508-324-2650

One Government Center • Fall River, MA 02722
TEL 508-324-2220 • FAX 508-324-2211 • EMAIL city_clerks@fallriverma.org

CITATIONS – None

ORDERS – HEARINGS – None

ORDERS – MISCELLANEOUS

10. Police Chief's report on licenses:

Taxi Drivers:

Steven Bigelow Wanda Brousseau Gerald Pinault

Second Hand License Renewals:

William F. Leach d/b/a Marine Consignment of Fall River, 75 Ferry Street
TVI, Inc. d/b/a Savers Thrift Store, 109 Mariano Bishop Boulevard
GameStop, Inc. d/b/a GameStop 6735, 153 Mariano Bishop Boulevard
Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 1435 Pleasant Street
Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 364 South Main Street
Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 1475 South Main Street
Wayne Confoey d/b/a Cash for Gold, 1503 Pleasant Street
St. Vincent de Paul Exchange Store, Inc., 1799 Pleasant Street
Michael W. West d/b/a A1 Antiques & Used Furniture, 1091 Plymouth Avenue
Pacheco's Furniture, 255 South Main Street
Pawtucket Pawnbrokers Too, Inc., 302 South Main Street
Beverly Post d/b/a Anything, 1791 South Main Street

Pawnbroker License Renewals:

Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 1435 Pleasant Street
Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 364 South Main Street
Fall River Financial MA LLC d/b/a Fall River Pawnbrokers, 1475 South Main Street
Pawtucket Pawnbrokers Too, Inc., 302 South Main Street

Pool/Billiards License Renewals:

Bob's Place LLC d/b/a Straight Shooters Billiards, 30 Front Street
CAPMRPM, LLC d/b/a Rack'Em Up Billiards, 129 Griffin Street

COMMUNICATIONS – INVITATIONS – PETITIONS

11. *Claims
12. *Attorney General's response to the following Open Meeting Law complaints:
 - a. Complaint filed by Patrick Higgins re: June 14, 2022 alleged violation by the City Council
 - b. Complaint filed by Patrick Higgins and Collin Dias re: September 16, 2022 alleged violation by the City Council
 - c. Complaint filed by Patrick Higgins re: January 3, 2023 alleged violation by the City Council
13. City Engineer prepare plans for the acceptance of Marier Street from North Main Street to dead end
14. Structure on or over a public way application for Salon 812 located at 812 Pleasant Street (Small lemonade stand outside of hair salon)
15. *Letter from David DeSousa, 644 Hood Street, re: trash, parking concerns, and alleged suspicious activities at Cardinal Medeiros Towers
16. *Letter from anonymous resident re: taxi companies

17. Drainlayer Licenses:
 - a. Sandstone Construction, Inc.
 - b. Century Paving & Construction, Corp.
 - c. JH Landscaping and Construction, Inc.
 - d. Raposo Company Landscape & Construction LLC
 - e. Coastal Water Sewer & Excavation, Inc.
 - f. Bartlett Consolidated, LLC
 - g. John Cabral
18. *Planning Board Minutes – February 8, 2023
19. *Planning Board Minutes – March 8, 2023

City Council Minutes:

20. *Joint Meeting with School Committee – April 11, 2023
21. *Public Hearings – April 11, 2023
22. *Committee on Finance – April 11, 2023
23. *Regular Meeting – April 11, 2023

BULLETINS – NEWSLETTERS – NOTICES – None


Assistant City Clerk

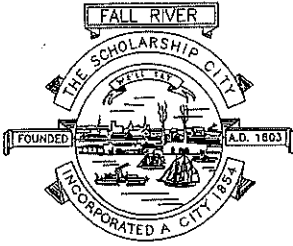
OTHER POTENTIAL MATTERS TO BE ACTED UPON: (if received)

COMMITTEE REPORTS

Committee on Finance recommending:

Adoption:

- 7a. Fiscal Year 2024 Budget Appropriation Order for Emergency Medical Services



City of Fall River
Massachusetts
Office of the Mayor

FINANCE#2

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2023 MAR 31 A 10:37

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

March 31, 2023

City Council President
Member of the Honorable Council
City of Fall River
One Government Center
Fall River, MA 02722

Dear Councilor President and Members of the Honorable Council:

Attached please find the EMS FY 24 Budget being submitted for your review and consideration. If there are any questions or concerns regarding this or any other matter please feel free to reach out.

Thank you for your consideration with this request.

Sincerely,

Paul E. Coogan
Mayor

PC/amos

CITY OF FALL RIVER
IN CITY COUNCIL

APR 11 2023

*Referred to the
Committee on Finance*

BE IT ORDERED: That the following FY 24 appropriations be provided through the Emergency Medical Services (EMS) rates under Chapter 53F 1/2 in the aggregate, amounting to \$11,550,000 be appropriated as follows

A. Voted: That the following sums be appropriated for the EMS Enterprise.

from EMS Rate Revenues, for EMS, Salaries	\$ 7,394,936
from EMS Stabilization Fund, for EMS, Expenses	\$ -
from EMS Rate Revenues, for EMS, Expenses	\$ 1,253,590
from EMS Rate Revenues, for EMS, Capital	\$ 175,000
from EMS Rate Revenues, for EMS, Transfers (Indirect Costs)	\$ 2,726,474
from EMS Rate Revenues, for EMS, Debt	

TOTAL: \$ 11,550,000

and that \$11,550,000 be raised as follows:

EMS Stabilization Fund	\$ -
Departmental Receipts	\$ 11,550,000

\$ 11,550,000

Recommend that the following sums be appropriated to operate the EMS Enterprise:

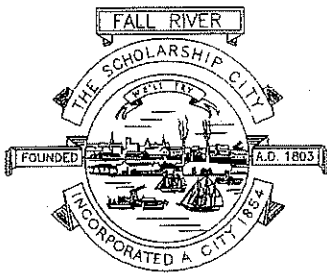
Direct

Salaries	\$ 7,394,936
Expenses	\$ 1,253,590
Capital	\$ 175,000
Debt	\$ -
Subtotal	<u>\$ 8,823,526</u>

Indirect

Health Insurance	\$ 791,730
Pensions	\$ 890,656
Other	\$ 1,044,088
Subtotal	<u>\$ 2,726,474</u>

TOTAL: \$ 11,550,000



**City of Fall River
Massachusetts**
Department of Financial Services
TREASURER • COLLECTOR • AUDITOR • ASSESSOR

FINANCE 2
RECEIVED

2023 MAR 30 P 3:35

CITY CLERK
FALL RIVER, MA

PAUL E. COOGAN
Mayor

Bridget Almon
Director of Financial Services

March 30, 2023

The Honorable Mayor Coogan
City of Fall River
One Government Center
Fall River, MA 02722

Dear Honorable Mayor:

Please find enclosed the submission for the Emergency Medical Services Budget Request for fiscal year ending June 30, 2024. I am requesting this budget submission be delivered to the City Council.

Regards,



Bridget Almon
Director of Financial Services



**City of Fall River
Massachusetts
Emergency Medical Services**

FINANCE 2
RECEIVED

2023 MAR 30 P 3:35

CITY CLERK
FALL RIVER, MA

TIMOTHY OLIVEIRA
Chief of EMS

PAUL E. COOGAN
Mayor

3/30/2023

The Honorable Paul E. Coogan
1 Government Center
Fall River ma 02721

RE: FY 24 Budget Submission
Emergency Medical Services

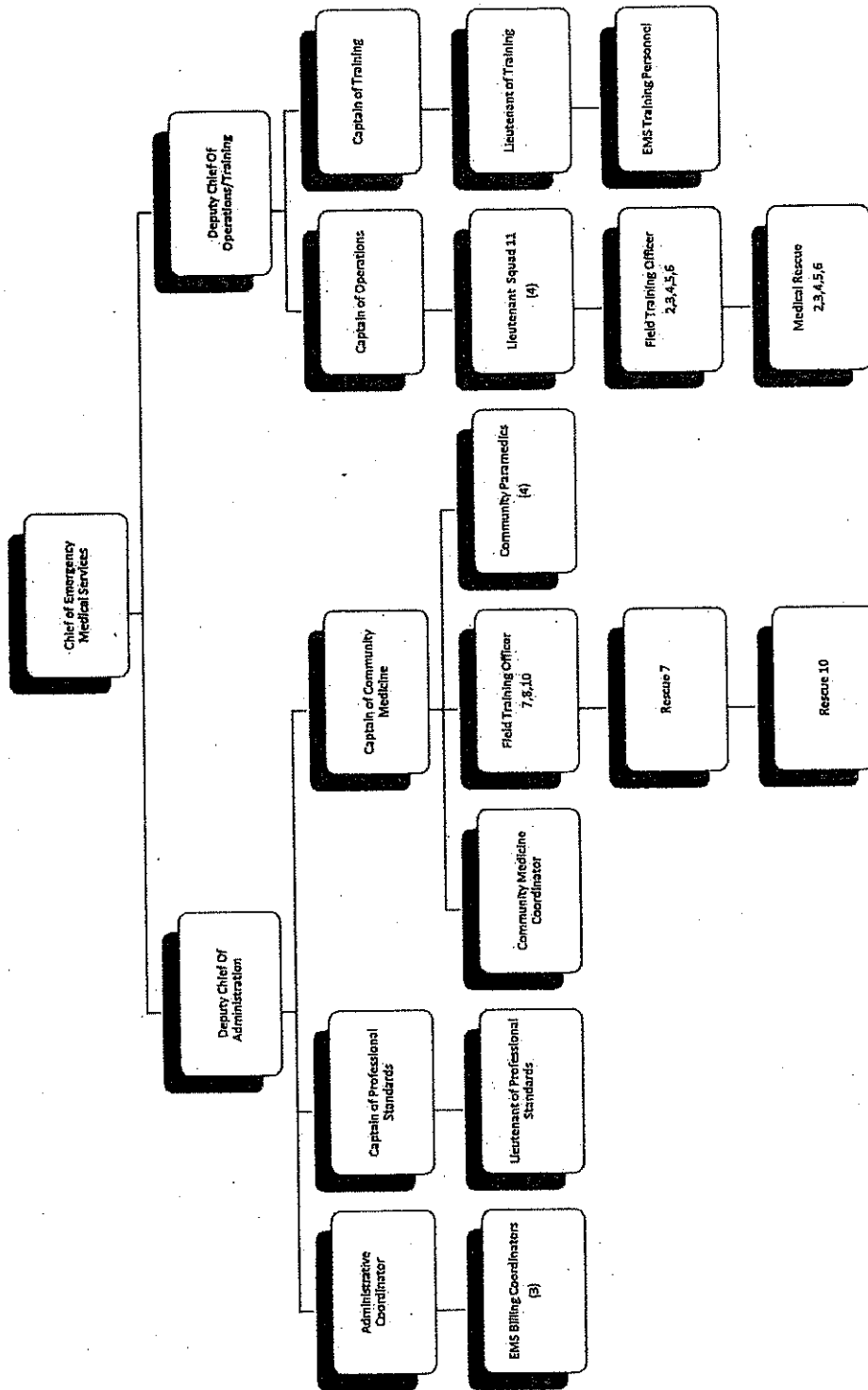
To Mayor Coogan:

Please find the enclosed documents for the Emergency Medical Services Enterprise Fund. This submittal meets the requirements of MGL Chapter 44, Section 53 F ½ for submissions of Enterprise Fund budgets 120 days prior to the beginning of the fiscal year. City Ordinance sections 2-183 and 2-184 require the Enterprise Fund Budget to be submitted to the City Council by April 1st. The FY 24 budget is included.

Respectfully,


Timothy Oliveira
Chief of Ems

Cc: Bridget Almon, Chief Finacial Officer



City of Fall River, Massachusetts
Fiscal Year Ending June 30, 2024 Municipal Budget

Support/ Calculations

Emergency Medical Revenue:	FY 2023 Revised Budget	FY 2023 thru 03/31/21	FY 2024 Projection	Percent +/-
User Fees	\$ 8,850,000	\$ -	\$ 10,450,000	
Prima Care Reimbursement	\$ 101,000	\$ -	\$ -	
PCG Reimbursement	\$ 1,400,000	\$ -	\$ 1,100,000	
Shared Revenue with General Fund	\$ (650,000)	\$ -	\$ -	
Transfer from Free cash & stabilization	\$ -	\$ -	\$ -	
Total Revenue	\$ 9,701,000	\$ -	\$ 11,550,000	19.1%

Estimate based on rates and historical collections

Support/ Calculations

Emergency Medical Services Salaries:	FY 2023 Revised Budget	FY 2023 thru 03/31/22	FY 2024 Projection	Percent +/-
SALARIES & WAGES-PERMANENT	\$ 4,251,683	\$ -	\$ 5,497,874	
EMS SHARED SQUAD	\$ 328,030	\$ -	\$ 336,375	
POLICE DISPATCHERS	\$ 232,507	\$ -	\$ 257,555	
FIRE MECHANICS	\$ 30,000	\$ -	\$ 30,000	
LONGEVITY	\$ 20,400	\$ -	\$ 34,250	
PER DIEM SALARIES	\$ 100,000	\$ -	\$ 100,000	
SALARIES - OVERTIME	\$ 275,000	\$ -	\$ 350,000	
SALARIES - SNOW / EVENTS	\$ 25,000	\$ -	\$ 25,000	
EDUCATIONAL	\$ 23,800	\$ -	\$ 24,500	
SHIFT PREMIUM - SALARIES	\$ 65,068	\$ -	\$ -	
HOLIDAY PAY - SALARIES	\$ 354,276	\$ -	\$ 463,242	
SERVICE OUT OF RANK - SALARIES	\$ 7,500	\$ -	\$ 7,500	
RETIREMENT BUYOUTS	\$ 25,000	\$ -	\$ 75,000	
WORKER'S COMPENSATION - SALARIES	\$ 30,000	\$ -	\$ 30,000	
UNEMPLOYMENT PAYMENTS - SALARIES	\$ -	\$ -	\$ -	
MEDICARE MATCH	\$ 67,326	\$ -	\$ 87,175	
OTHER PERSONAL SERVICES	\$ -	\$ -	\$ -	
UNIFORM ALLOWANCE - SALARIES	\$ 59,500	\$ -	\$ 62,125	
DUTY OFFICER STIPEND	\$ 10,560	\$ -	\$ 14,340	
ANTICIPATED CONTRACT COSTS	\$ 819,919	\$ -	\$ -	
Total Salaries	\$ 6,725,569	\$ -	\$ 7,394,936	10.0%

Support/ Calculations

Emergency Medical Services Expenditures:	FY 2023 Revised Budget	FY 2023 thru 03/31/21	FY 2024 Projection	Percent +/-
ELECTRICITY	\$ 6,500	\$ -	\$ 9,000	
HEAT	\$ 6,000	\$ -	\$ 6,500	
REPAIRS/MAINTENANCE	\$ 1,200	\$ -	\$ 1,200	
RADIO REPAIRS & MAINTENANCE	\$ 8,000	\$ -	\$ 8,000	
RENTALS AND LEASES	\$ 280,700	\$ -	\$ 285,000	
WORKERS COMP MEDICAL	\$ 15,000	\$ -	\$ 20,000	
DATA PROCESSING	\$ 49,300	\$ -	\$ 49,300	
TELEPHONE/COMMUNICATIONS	\$ 10,400	\$ -	\$ 10,400	
POSTAGE/COMMUNICATIONS	\$ 4,000	\$ -	\$ 4,000	
MEDICAL DIRECTOR COMPENSATION	\$ 22,500	\$ -	\$ 22,500	
GASOLINE/ENERGY SUPPLIES	\$ 85,000	\$ -	\$ 175,000	

Electricity for department buildings, charging of ambulances, and various equipment 1,500/qr
Heat provided for ambulance quarters/bays %per cu ft 3 yr average 5,633.44
Repair of printer, scanner, copier, stamp machine lease 174.17
For radio batteries and replacement, and accessories (increase cost for accessories)
(2) 98,000 leases, transfer van 180,000
Workers compensation treatment bills for employees injured on duty
cardiac monitor/lucas preventative \$13,000, insurance research \$14,500, electronic billing \$9480 (cost increase with increases of 75 over submissions, IMC dispatch program \$2,125, aldatec scheduling program \$7,057 . old billing \$7,800
\$550 per month verizon/apparatus cellphones and mifi only, comcast internet service 25% = \$26.25 per month, radio license fee 25% = \$49.88 per year, mobile access to CAD and patient care reporting \$40.00 per month (6) = \$2,880.00
Cost of postage for medical bills, attorney correspondence, employee correspondence, certified mail, rental of postal machine 3 yr average \$1,776.66 varies postal increases
Medical director compensation 1853.00 per month
Gasoline/diesel fuel used in the medical rescues, department vehicles 6 MONTH 95,000.00, FY 22 122,914.00

Fiscal Year Ending June 30, 2024 Municipal Budget

OFFICE SUPPLIES	\$ 1,800	\$ -	\$ -	\$ 1,800	Paper clips, certificate paper, staplers, printer paper, cabinets, folders, expandable folders for record keeping, staplers, computer mouse, note pads 3 year avg 1745.91
OTHER OFFICE SUPPLIES	\$ 195	\$ -	\$ -	\$ 195	HCFA billing forms 46.00 per box of 500 x 4 boxes plus shipping 195.00
PRINTING SUPPLIES	\$ 500	\$ -	\$ -	\$ 1,500	Printer paper, envelopes various sizes required for billing purposes, business cards, letterhead, RICOH OVERAGES
OTHER R&M SUPPLIES	\$ 8,600	\$ -	\$ -	\$ 8,600	Repair of primer vents (NFPA mandated), keys, 25% of \$44.00 per month pest control \$132.00, EMS Gear per contract (3) \$2658.00 per new employee CBA

	FY 2023 Revised Budget	FY 2023 thru 03/31/21	FY 2024 Projection	Percent +/-	Support/ Calculations
CLEANING SUPPLIES	\$ 1,500	\$ -	\$ 1,500		Custodial supplies for maintenance of crews quarters
MOTOR OIL AND LUBRICANTS	\$ 30,000	\$ -	\$ 30,000		Cost of routine maintenance of medical rescues for products required to validate warranty, tires for general wear to meet manufacturer specifications, flats, antifreeze for winterizing of medical rescues (cost increase due to manufacturer parts required to not void extended warranty) 3 year average \$5,019.00
PARTS AND ACCESSORIES - VEHICLES	\$ 60,000	\$ -	\$ 148,470		For medical rescue parts and accessories for the purpose of medical rescues 6 MO FY23 \$ 69,500-one time expense point for rescues
MEDICAL SUPPLIES	\$ 150,000	\$ -	\$ 185,000		Medical supplies for providing patient care as per IFB, medications, cost of stocking new medical rescues, oxygen for patient treatment 3 yr average \$130,163.62
EDUCATIONAL SUPPLIES	\$ 625	\$ -	\$ 625		Protocol books, narcotics logs, station journals, stretcher repair logs as mandated by DPH, AHA Heart Association Updates 126.00 each (3) all levels
BOOKS	\$ 600	\$ -	\$ 600		American Medical Association 361.20 updated coding books, 325.00 Polk Directory 325.00 address, name research for billing purposes
DATA PROCESSING SUPPLIES	\$ 2,180	\$ -	\$ 2,500		Printer scanner copier ink 126.99 (3) \$381.00, 146.99 (4) \$588.00 total: 969.00
STRETCHER REPAIR/MAINTENANCE	\$ 5,880	\$ -	\$ 6,000		For the repair of stretchers, wheel casters, frames, mattresses, batteries, vehicle mounts 3 yr average \$7,271.73
OTHER INTERGOVERNMENTAL	\$ 7,950	\$ -	\$ 8,500		ambulance licenses 600 per year & 200 per vehicle (10) \$2,600, ambulance drug licenses \$300 (7) \$2100.00, certification reimbursement per CBA \$150 (20) \$3000, \$50.00 CMED
EMS DOCUMENTATION PROGRAM	\$ 36,000	\$ -	\$ 46,000		EMS report writing program, billing software 30000/16000
WATER/SEWER CSO CHARGE	\$ 3,600	\$ -	\$ 4,500		Water and CSO charge 3 yr average \$2,566.28
INSTATE TRAVEL/MILEAGE	\$ 300	\$ -	\$ 300		Parking, and mileage for travel, currently mobile integrated health care meeting parking \$39.00

	FY 2023 Revised Budget	FY 2023 thru 03/31/21	FY 2024 Projection	Percent +/-	Support/ Calculations
SUBSCRIPTIONS	\$ 100	\$ -	\$ 100		JEMS magazine (5) subscriptions 20.00 per year
MOTOR VEHICLE INSURANCE	\$ 165,000	\$ -	\$ 180,000		Motor vehicle insurance and malpractice umbrella insurance total \$129,683
CLAIMS & DAMAGES	\$ 2,000	\$ -	\$ 2,000		For claims involving medical rescues, and deductibles
STAFF DEVELOPMENT	\$ 11,000	\$ -	\$ 11,000		First responder training certification and AHA CPR training as mandated by law \$875.00, honor guard academy, EMSI education \$6,500
TRAINING EXPENSE	\$ 12,000	\$ -	\$ 12,000		Purchase of AHA CPR cards/plus training expenses/deferred by CPR Training revenue
STERILIS SYRINGE DISPOSAL	\$ 11,500	\$ -	\$ 11,500		yearly fee (2) \$5,000, \$1,500 parts (potential repairs)
Total Expenditures	\$ 999,930	\$ -	\$ 1,253,590	25.4%	

OTHER EQUIPMENT	\$ 174,500	\$ -	\$ 175,000	
Total Capital	\$ 174,500	\$ -	\$ 175,000	0.3%

TRANSFERS TO GENERAL FUND	\$ 853,961	\$ -	\$ 896,660	2.5% INCREASE FY23 & FY24
TRANSFER GF - HEALTH	\$ 482,651	\$ -	\$ 791,730	FY 24 ACTUAL HEALTH
TRANSFER GF PENSIONS	\$ 700,367	\$ -	\$ 890,656	
TRANSFER GF-SHARED PAYROLL	\$ 506,169	\$ -	\$ 147,428	Health, Pension (Squad & Dispatchers) \$48,836 plus 16.2 normal cost per employee pension
Total Transfers	\$ 2,543,148	\$ -	\$ 2,726,474	7.2%

Total Expenditures	\$ 3,717,578	\$ -	\$ 4,155,064	
Total Emergency Medical Services	\$ 10,443,147	\$ -	\$ 11,550,000	10.6%

FINANCE 2

FINANCE 2

Job Class Description	FTE	Annual Salary	FTO 3.5	Education		On-Call/ Professional		Longevity	Clothing	Holiday	Total
				Stipend	Stipend	Devel	Stipend				
EMT/PARA	1	\$ 70,557	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,105	\$ 77,887
EMT/BASIC	1	\$ 65,914	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 5,706	\$ 72,845
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,533	\$ 83,255
EMT/PARA	1	\$ 70,557	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,105	\$ 77,887
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,533	\$ 83,255
EMT/PARA	1	\$ 70,557	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,105	\$ 77,887
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ 1,500	\$ 875	\$ 6,533	\$ 84,755
EMT/BASIC	1	\$ 49,407	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 4,276	\$ 54,908
EMT/PARA	1	\$ 70,557	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,105	\$ 77,887
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,533	\$ 83,255
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,533	\$ 83,255
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,533	\$ 83,255
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ 500	\$ 875	\$ 6,533	\$ 83,755
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,533	\$ 83,255
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,533	\$ 83,255
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,533	\$ 83,255
EMT/PARA	1	\$ 70,557	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,105	\$ 77,887
EMT/PARA	1	\$ 70,557	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,105	\$ 77,887
EMT/BASIC	1	\$ 49,407	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 4,276	\$ 54,908
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,533	\$ 85,897
EMT/PARA	1	\$ 75,497	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 6,533	\$ 85,897
EMT/PARA	1	\$ 75,497	\$ 2,642	\$ 350	\$ 2,642	\$ -	\$ -	\$ -	\$ 875	\$ 6,533	\$ 86,397
FTO	1	\$ 75,497	\$ 2,642	\$ 350	\$ 2,642	\$ -	\$ -	\$ 500	\$ 875	\$ 6,533	\$ 85,897
FTO	1	\$ 75,497	\$ 2,642	\$ 350	\$ 2,642	\$ -	\$ -	\$ 500	\$ 875	\$ 6,533	\$ 86,397
FTO	1	\$ 75,497	\$ 2,642	\$ 350	\$ 2,642	\$ -	\$ -	\$ 500	\$ 875	\$ 6,533	\$ 85,897
FTO	1	\$ 75,497	\$ 2,642	\$ 350	\$ 2,642	\$ -	\$ -	\$ 500	\$ 875	\$ 6,533	\$ 86,397
FTO	1	\$ 75,497	\$ 2,642	\$ 350	\$ 2,642	\$ -	\$ -	\$ 500	\$ 875	\$ 6,533	\$ 85,897
COMMUNITY PARAMEDIC	1	\$ 75,497	\$ 2,642	\$ 350	\$ 2,642	\$ -	\$ -	\$ 500	\$ 875	\$ 6,533	\$ 86,398
COMMUNITY PARAMEDIC	1	\$ 75,497	\$ 2,642	\$ 350	\$ 2,642	\$ -	\$ -	\$ 1,000	\$ 875	\$ 6,533	\$ 85,898
COMMUNITY PARAMEDIC	1	\$ 75,497	\$ 2,642	\$ 350	\$ 2,642	\$ -	\$ -	\$ 500	\$ 875	\$ 6,533	\$ 85,898
COMMUNITY PARAMEDIC	1	\$ 75,497	\$ 2,642	\$ 350	\$ 2,642	\$ -	\$ -	\$ 500	\$ 875	\$ 6,533	\$ 85,898
ADMINISTRATIVE ASST	1	\$ 65,944	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500	\$ 875	\$ 5,706	\$ 74,025
COMMUNITY MEDICINE	1	\$ 46,175	\$ -	\$ 350	\$ -	\$ -	\$ -	\$ -	\$ 875	\$ 3,996	\$ 51,396
11A CLERK	1	\$ 49,255	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 852	\$ 50,107
11A CLERK	1	\$ 49,255	\$ -	\$ -	\$ -	\$ 800	\$ -	\$ -	\$ -	\$ 852	\$ 50,107
11A CLERK	1	\$ 49,255	\$ -	\$ -	\$ -	\$ 800	\$ -	\$ -	\$ -	\$ 852	\$ 50,107
TOTALS	74	\$ 5,471,454	\$ 26,420	\$ 24,500	\$ 15,940	\$ 34,250	\$ 62,125	\$ 463,242	\$ 6,097,932		



City of Fall River
Massachusetts
Office of the Mayor

FINANCE 3

RECEIVED

2023 APR -4 A 8:30

PAUL E. COOGAN
Mayor

CITY CLERK _____
FALL RIVER, MA

April 4, 2023

Council President
Members of the Honorable Council
City of Fall River
One Government Center
Fall River, MA 02722

Dear Council President and Members of the Honorable Council:

I am pleased to forward to you the City of Fall River Year Four Annual Action Plan which I propose to file with the U.S. Department of Housing and Urban Development (HUD) for continued funding of the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG) and HOME Investment Partnerships (HOME) Programs. The Action Plan details activities to be undertaken during the July 1, 2023- June 30, 2024 program year.

Under a separate cover on April 18, 2023, I shall submit a proposed resolution for your consideration at your April 25th meeting. The resolution would authorize submission of the City of Fall River Year Four Annual Action Plan with the U.S. Department of Housing and Urban Development. The Year Four Annual Action Plan is being submitted to you now in order to provide adequate review time prior to City Council consideration of the resolution at the April 25th meeting.

The proposed program of activities, which was advertised on February 24th for public comment, was developed on the basis of testimony and proposals received at public hearings held January 4th and March 8th.

The timetable provides for submission of the Year Four Annual Action Plan no later than May 3, 2023.

Should you or any other Councilor have questions or comments prior to April 25th, I urge you to immediately contact Michael P. Dion, Executive Director/ CFO of the Fall River Community Development Agency. Mr. Dion will also be present at the City Council meeting to respond to any questions.

Sincerely,

Paul E. Coogan
Paul E. Coogan
Mayor

CITY OF FALL RIVER
IN CITY COUNCIL
APR 11 2023

Enclosure

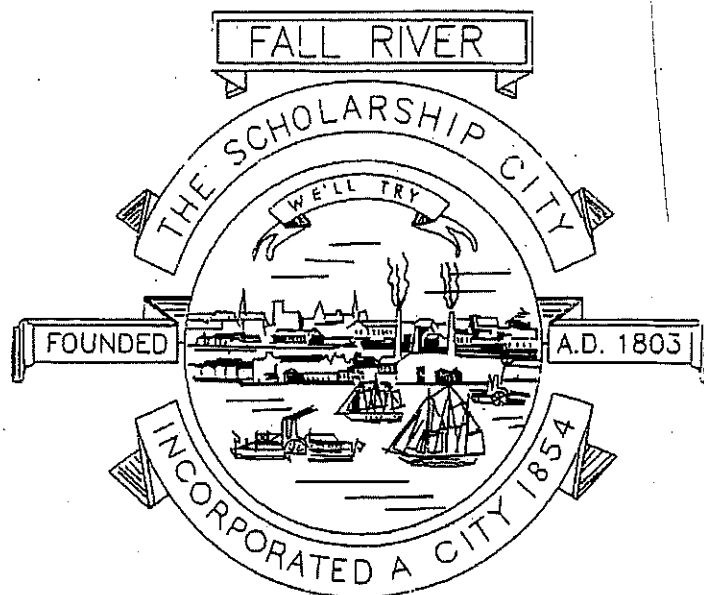
*Referred to the
Committee on Finance*

City of Fall River, Massachusetts

Paul E. Coogan, Mayor

Fall River Community Development Agency

Michael P. Dion, Executive Director/CFO



RECEIVED

2023 APR -4 A 8:30

CITY CLERK
FALL RIVER, MA

Year 4 Annual Action Plan

July 1, 2023 – June 30, 2024

Community Development Block Grant Program

Home Investment Partnership Program

Emergency Solutions Grant Program

Submitted to the U.S. Department of
Housing & Urban Development





**City of Fall River
Massachusetts
Office of the Mayor**

RECEIVED

2023 MAR 30 A 9:45

CITY CLERK _____
FALL RIVER, MA

PAUL E. COOGAN
Mayor

March 29, 2023

City Council President
Member of the Honorable Council
City of Fall River
One Government Center
Fall River, MA 02722

Dear Councilor President and Members of the Honorable Council:

Attached please find a letter from the City of Fall River's ARPA Director, Kara Humm, along with a proposal from City Councilor Laura Washington seeking funding from the Bristol County Treasury for The Veterans' Kitchen of Fall River, Inc. for your review.

Please advise if you have any questions or concerns with this request. Thank you for your consideration.

Sincerely,

Paul E. Coogan
Mayor

PC/amos

CITY OF FALL RIVER
IN CITY COUNCIL

APR 11 2023

*Objected to and laid
on the table in accordance
with the Charter*



PAUL E. COOGAN
Mayor

City of Fall River
American Rescue Plan Act

RECEIVED

2023 MAR 30 A 9:11
KARA HUMM
ARPA Director

CITY CLERK
FALL RIVER, MA

March 24, 2023

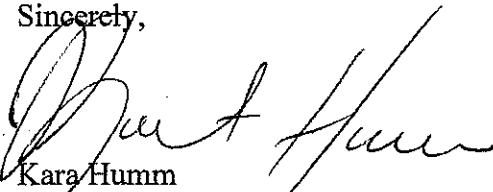
The Honorable Paul Coogan
Mayor of the City of Fall River
One Government Center
Fall River, MA 02722

Dear Mr. Mayor:

Attached please find Councilor Laura Washington's proposal seeking ARPA funding from the Bristol County Treasury.

If you could please include this proposal on the agenda for the April 11th City Council Meeting it would be greatly appreciated.

Sincerely,


Kara Humm
ARPA Director

ARPA Fund Use: **THE VETERANS' KITCHEN OF FALL RIVER, INC.**
Proposal by Councilor Laura Washington

Description of Proposal: Funds would be used to assist the organization in providing food and supplies to veterans and their families.

Requested ARPA Funds: \$50,000.00

Category: 2: Negative Economic Impacts:

Assistance to Households:
2.21: Household Assistance: Food Programs

Rationale for ARPA Funding:

The COVID-19 pandemic created considerable hardship for the Veterans' Kitchen of Fall River, which relies solely on charitable contributions from individuals, local businesses, and fundraising efforts. These contributions decreased dramatically as a result of the pandemic.

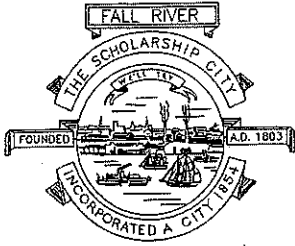
At the onset of the pandemic, the Veterans' Kitchen of Fall River, suffered a measurable decline in private donations, while experiencing an increase in the number of meals being provided to the community (250/week from 100-150/week). In 2020 and 2021, the organization experienced a net loss of approximately \$3000 and \$3500, respectively. Since, its inception in 2015, the Veterans' Kitchen of Fall River, has not ever suffered a net loss.

Despite private and in-kind donations being down more than 50% during the pandemic, the Veterans' Kitchen of Fall River, not only continued to provide hot and nutritious meals to veterans and their families, but delivered them while the building was closed. The organization was able to provide this service due to the good will of the volunteers involved in the organization who remained committed despite the challenges created by the pandemic.

The Veterans' Kitchen of Fall River was created in 2015 and at the time operated under the fiscal agency of the Disabled American Veterans of Fall River, located at the Pine Street Veterans' facility. Since its inception, the Veterans' Kitchen has continually provided a crucial service to veterans and their families. In addition to weekly eat-in or take-out meals, veterans and their families are also provided weather appropriate clothing, non-perishable food staples, and event outings with lunch included.

In October 2019, due to space limitations, the organization moved its operations from its original location to the Corky Row Club Society located at 602 Third Street. In March 2021, the organization began operating under the fiscal agency of the Fall River War Veterans' Council.

By October 2022, the Veterans' Kitchen of Fall River had grown in size and volume, and therefore decided to incorporate, to become its own fiscal agent. The organization is now going through the process of becoming a non-profit Massachusetts corporation, and has enlisted the services of tax attorney Keith Phillis, who has recently completed the long form 501(c)3 application to the IRS.



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2023 APR -6 A 9 34

CITY CLERK _____
FALL RIVER, MA

April 5, 2023

Mister President
Members of the Honorable Council
City of Fall River
One Government Center
Fall River, MA 02722

Mister President and Members of the Honorable Council,

Please find the following grant awards, which the City has been notified of, for your consideration and formal acceptance.

- (1) Massachusetts Department of Public Health (MA DPH) – Massachusetts Collaborative for Action, Leadership, and Learning 3 (MassCALL3) Substance Misuse Prevention Grant

Thank you in advance for your consideration with this request.

Sincerely,

Paul E. Coogan
Mayor

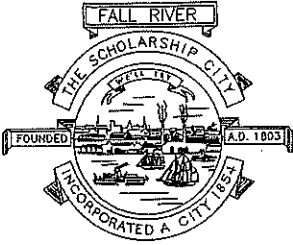
City of Fall River, *In City Council*

ORDER:

The City of Fall River was awarded a grant through the Massachusetts Department of Public Health (MA DPH) Substance Misuse Prevention Grant Program in the amount of \$250,000 with a duration of July 01, 2021 to June 30, 2023. This grant currently funds holistic youth outreach services in partnership with Stanley Street Treatment and Resources (SSTAR) for local youth at elevated risk for substance misuse, including preventative and educational programming. MA DPH proposes to increase this award to \$875,000 and extend its duration to June 30, 2025 to continue to fund these activities.

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL: That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through MA DPH in the revised amount of \$875,000 to conduct holistic preventative and educational outreach services for local youth at elevated risk for substance misuse.

BE IT FURTHER VOTED: That the Mayor, on behalf of the City of Fall River, be and hereby is, authorized to execute any and all documents necessary in connection with said grant from the MA DPH, including the expenditure thereof.



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2023 APR 19 A 10:22

CITY CLERK
FALL RIVER, MA

April 25, 2023

Council President
Members of the Honorable Council
City of Fall River
One Government Center
Fall River, MA 02722

Mister President and Members of the Honorable Council,

Please find the following grant awards, which the City has been notified of, for your consideration and formal acceptance.

- (1) U.S. Environmental Protection Agency (EPA) – Clean School Bus (CSB) Rebate Program

Thank you in advance for your consideration of this request.

Sincerely,

Paul E. Coogan
Mayor

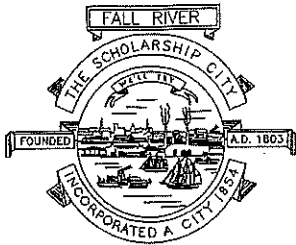
City of Fall River, *In City Council*

ORDER:

The City of Fall River was granted a rebate award through the U.S. Environmental Protection Agency (EPA) Clean School Bus Rebate Program in the amount of \$3,860,000. This rebate will fund (1) the replacement of ten diesel school buses belonging to Fall River Public Schools with ten electric school buses up to \$3,660,000, and (2) the acquisition and installation of relevant charging infrastructure for the aforementioned school buses up to \$200,000.

NOW, THEREFORE, BE IT VOTED BY THE CITY COUNCIL: That the Mayor be and is hereby authorized in the name of the City of Fall River to accept and expend a Grant through the U.S. EPA in the amount of \$3,860,000 to replace ten diesel school buses with ten electric school buses and purchase and install the necessary charging infrastructure.

BE IT FURTHER VOTED: That the Mayor, on behalf of the City of Fall River, be and hereby is, authorized to execute any and all documents necessary in connection with said grant from the U.S. EPA, including the expenditure thereof.



City of Fall River
Massachusetts
Office of the Mayor

PAUL E. COOGAN
Mayor

RECEIVED

2023 APR 14 A 8:34

CITY CLERK _____
FALL RIVER, MA

April 13, 2023

The Honorable City Council
City of Fall River
One Government Center
Fall River, MA 02722

Dear Honorable Council Members:

The Community Preservation Committee (CPC) has identified community projects for the fiscal year 2024 and had made recommendations for funding in accordance with the Community Preservation Act (CPA) MGL Chapter 44B Sections 4 to 7.

The total CPA funding request for FY 24 is \$1,771,608 as outlined in the proposed Appropriation Order.

Your approval of the associated Appropriation Order is respectfully requested.

Should you have any questions or concerns in this regard, please do not hesitate to contact me.

Best Regards,

Paul E. Coogan
Paul E. Coogan
Mayor

City of Fall River, *In City Council*

APPROPRIATION ORDER

ORDERED, that the following FY 24 appropriations be provided through the Community Preservation Act (CPA), revenues and reserves under the MGL Chapter 44B Sections 4 to 7 in the aggregate, amounting to \$1,771,608 to be appropriated as follows:

Voted: That \$1,771,608 be appropriated from the CPA Fund FY 24 Annual Revenues

For CPA Administrative Expenditures	\$ 45,000
For CPA Open Space/Outdoor Recreation PROJECTS	\$ 414,934
For CPA Historic Resources Preservation PROJECTS	\$ 810,597
For CPA Community Housing RESERVES	\$ <u>177,161</u>
For CPA Community Housing Unreserved/Undesignated	\$ <u>323,916</u>
<u>TOTAL</u>	<u>\$ 1,771,608</u>

Note: This is the eleventh year of CPA implementation. Anticipated CPA Surcharge revenue is \$1,279,034. Supplemental state trust fund distributions are estimated at \$492,574. Total \$1,771,608. Minimum 10% (\$177,161) must be spent or reserved under each of the three categories and the administrative expenditure cannot exceed 5% (\$88,580).



PAUL E. COOGAN
Mayor

City of Fall River
Massachusetts
Office of the Mayor

RECEIVED

2023 APR 18 P 2:22

CITY CLERK
FALL RIVER, MA

April 18, 2023

Council President
Members of the Honorable Council
City of Fall River
One Government Center
Fall River, MA 02722

Dear Council President and Members of the Honorable Council:

I am pleased to forward to you the proposed resolution authorizing submission of the City of Fall River Year Four Annual Action Plan with the U.S. Department of Housing and Urban Development (HUD) for continued funding of the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG) and HOME Investment Partnerships (HOME) Programs. The Action Plan details activities to be undertaken during the July 1, 2023 - June 30, 2024 program year.

The resolution and the Year Four Annual Action Plan are being submitted to you in order to provide review time prior to City Council consideration of the resolution at the April 25th Council meeting. The Plan was submitted for your review under separate cover.

The proposed program of activities, which was advertised on February 24th for public comment, was developed on the basis of testimony and proposals received at public hearings held January 4th and March 8th.

The timetable provides for submission of the Year Four Annual Action Plan no later than **May 3, 2023**.

Should you or any other Councilor have any questions or comments prior to April 25th, I urge you to immediately contact Michael P. Dion, Executive Director/Chief Financial Officer of the Fall River Community Development Agency. Mr. Dion will be present at the City Council meeting to respond to any questions.

Sincerely,

Paul E. Coogan
Mayor

Enclosure

City of Fall River, In City Council

(Mayor Paul E. Coogan)

**RESOLUTION OF LOCAL GOVERNING BODY AUTHORIZING SUBMISSION
OF THE CITY OF FALL RIVER YEAR FOUR ANNUAL ACTION PLAN WITH
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

WHEREAS, the City of Fall River Consolidated Plan integrates and has simplified the planning, application and reporting requirements for the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG) and HOME Investment Partnerships (HOME) Programs; and

WHEREAS, the overall goal of the Consolidated Plan programs and activities is the development of viable urban communities by providing decent housing and a suitable environment and expanding economic opportunities, principally for low and moderate-income persons; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has notified the City of Fall River that entitlements will be \$2,631,721.00 under CDBG, \$242,767.00 under ESG and \$1,164,759.00 under HOME; and

WHEREAS, the Year Four Annual Action Plan provides the necessary assurances and/or certificates of compliance with applicable Federal regulations and requirements of the CDBG, ESG and HOME Programs; and

WHEREAS, Mayor Paul E. Coogan must be authorized to submit the Year Four Annual Action Plan to the Secretary of the U.S. Department of Housing and Urban Development and to accept and/or execute the Grant Agreements.

NOW, THEREFORE, BE IT RESOLVED BY THE FALL RIVER CITY COUNCIL that:

Mayor Paul E. Coogan is authorized to submit the Year Four Annual Action Plan and applications for CDBG, ESG and HOME entitlement funds and to accept and/or execute the contract(s) with the United States of America and to do all things necessary to carry out the Programs, including the execution of contracts and the submission of such reports, certificates, and other materials as the U.S. Department of Housing and Urban Development shall require.

RECEIVED

2023 APR 20 P 3:45

CITY CLERK _____
FALL RIVER, MA

FY 2023

QUARTER 3

BUDGET REPORT

7


**DISCLOSURE BY SPECIAL MUNICIPAL EMPLOYEE
OF FINANCIAL INTEREST IN A MUNICIPAL CONTRACT
AS REQUIRED BY G. L. c. 268A, § 20(d)**

RECEIVED

2023 APR 19 AM 10:23

Name of special municipal employee:	<p style="text-align: center;">SPECIAL MUNICIPAL EMPLOYEE INFORMATION</p> <p><i>Michelle "Mini" Larrivee</i></p> <p style="text-align: right;">CITY CLERK FALL RIVER, MA</p>
Put an X beside one statement.	<p>I am a special municipal employee because:</p> <p><input type="checkbox"/> I am a selectman in a town with a population of 10,000 or fewer people;</p> <p><input checked="" type="checkbox"/> I am not a mayor, alderman or city councilor, and</p> <p><input type="checkbox"/> I serve in a municipal position for which no compensation is provided, or</p> <p><input type="checkbox"/> I earned compensation for fewer than 800 hours in the preceding 365-day period, or</p> <p><input checked="" type="checkbox"/> By the classification of my position by my municipal agency or by the terms of a contract or my conditions of employment, I am permitted to have personal or private employment during normal business hours.</p> <p><input type="checkbox"/> I work for a company or organization which has a contract with a municipal agency, and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular, and the contract states that I am a special municipal employee or indicates that I meet one of the three requirements listed above.</p>
Title/ Position	<p><i>Director of Workforce and Community Partnerships.</i></p>
Fill in this box if it applies to you.	<p>If you are a special municipal employee because a municipal agency has contracted with your company or organization, please provide the name and address of the company or organization.</p> <p><i>People Incorporated - Fall River</i> <i>4 South Main St</i> <i>Fall River, Ma 02721</i></p>
Municipal Agency/ Department:	<p>This is "my Municipal Agency."</p> <p><i>City of Fall River - School Committee</i></p>
Agency Address:	<p><i>1 Government Center</i> <i>Fall River, Ma 02721</i></p>
Office phone:	
Office e-mail:	<p><i>mlarrivee@peopleincfr.org</i></p>
	<p>Check one: <input checked="" type="checkbox"/> Elected or <input type="checkbox"/> Non-elected</p>
Starting date as a special municipal employee.	<p><i>January 4, 2020</i></p>

<p>BOX # 1</p> <p>Select either STATEMENT #1 or STATEMENT #2.</p> <p>Write an X by your financial interest.</p>	<p>ELECTED SPECIAL MUNICIPAL EMPLOYEE</p> <p>I am an elected special municipal employee.</p> <p>___ STATEMENT #1: I had a financial interest in a contract made by a municipal agency before I was elected to a compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p>___ STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency.</p> <p>My financial interest in a contract made by a municipal agency is:</p> <p>___ A compensated, non-elected position with a municipal agency.</p> <p>___ A contract between a municipal agency and myself.</p> <p><input checked="" type="checkbox"/> A financial benefit or <u>obligation</u> because of a contract that a municipal agency has with another person or with a company or organization.</p> <p>___ Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>
<p>BOX #2</p> <p>Select either STATEMENT #1 or STATEMENT #2.</p> <p>Write an X by your financial interest.</p>	<p>NON-ELECTED SPECIAL MUNICIPAL EMPLOYEE</p> <p>I am a non-elected special municipal employee (compensated or uncompensated).</p> <p>___ STATEMENT #1: I had a financial interest in a contract made by a municipal agency, other than an employment contract, before I took a non-elected, compensated special municipal employee position. I will continue to have this financial interest in a municipal contract.</p> <p>My financial interest in a contract made by a municipal agency is:</p> <p>___ A contract between a municipal agency and myself, but not an employment contract.</p> <p>___ A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p>OR</p> <p>___ STATEMENT #2: I will have a new financial interest in a contract made by a municipal agency.</p> <p>My financial interest in a contract made by a municipal agency is:</p> <p>___ A compensated, non-elected position with a municipal agency.</p> <p>___ A contract between a municipal agency and myself.</p> <p>___ A financial benefit or obligation because of a contract that a municipal agency has with another person or with a company or organization.</p> <p>___ Other work because a municipal agency has a contract with my company or organization and I am a "key employee" because the contract identifies me by name or it is otherwise clear that the municipal is contracting for my services in particular.</p>
<p>Name and address of municipal agency that made the contract</p>	<p>FINANCIAL INTEREST IN A MUNICIPAL CONTRACT</p> <p>This is the "contracting agency."</p> <p><i>1 Government Center Fau River, Ma 02721</i></p>
<p>Write an X to confirm this statement.</p>	<p><input checked="" type="checkbox"/> In my work as a special municipal employee for my Municipal Agency, I participate in or have official responsibility for activities of the contracting agency.</p>

FILL IN THIS BOX OR THE NEXT BOX	ANSWER THE QUESTION IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND YOU. - Please explain what the contract is for.
	ANSWER THE QUESTIONS IN THIS BOX IF THE CONTRACT IS BETWEEN THE MUNICIPAL AGENCY AND ANOTHER PERSON OR ENTITY - Please identify the person or entity that has the contract with the municipal agency. - What is your relationship to the person or entity? - What is the contract for? - People Incorporated - People Incorporated is my employer - Services for students
What is your financial interest in the municipal contract?	- Please explain the financial interest and include the dollar amount if you know it. - FRPS is contracted to pay up to \$70,000 for fiscal year 22-23 - a Portion of my salary is budgeted (PI) to come out of the \$70,000
Date when you acquired the financial interest	March 27, 2023
What is the financial interest of your immediate family?	- Please explain the financial interest and include the dollar amount if you know it. NONE
Date when your immediate family acquired the financial interest	NONE
Employee signature:	
Date:	4/18/2023

SEE NEXT PAGE FOR APPROVAL
 BY CITY COUNCIL, BOARD OF ALDERMEN,
 BOARD OF SELECTMEN, TOWN COUNCIL,
 OR DISTRICT PRUDENTIAL COMMITTEE

**APPROVAL OF EXEMPTION
BY THE CITY COUNCIL, BOARD OF ALDERMEN, BOARD OF SELECTMEN,
TOWN COUNCIL OR DISTRICT PRUDENTIAL COMMITTEE**

Name:	
Name of approving body: Write an X by one selection.	<input type="checkbox"/> City Council <input type="checkbox"/> Board of Aldermen <input type="checkbox"/> Board of Selectmen <input type="checkbox"/> Town Council <input type="checkbox"/> District Prudential Committee
Title/ Position	
Agency Address:	
Office phone:	
APPROVAL OF § 20(d) EXEMPTION	
	<p>We have received a disclosure under G.L. c. 268A, § 20(d) from a special municipal employee who seeks to have a financial interest in a contract made by a municipal agency of this city or town. We understand that the special municipal employee participates in, or has official responsibility for, activities of the municipal agency that made the contract. We approve this exemption under § 20(d) regarding the financial interest identified by the special municipal employee.</p>
Signature:	On behalf of the Council, Board or Committee identified above, I sign this approval.
Date:	

Attach additional pages if necessary.

File your completed, signed, approved Disclosure with the city or town clerk.

7

Mimi Larrivee
268 Oak Grove Avenue
Fall River, Ma 02723
April 19, 2023

RECEIVED

2023 APR 19 A 10:23

CITY CLERK _____
FALL RIVER, MA

To The Honorable Members of the Fall River City Council,

I am writing to you today to offer an explanation and give you information of why I chose to reach out to the Ethics Commission and complete Disclosure Form 20 D, and why I am requesting it to be an agenda item to be discussed and voted on at your April 25, 2023 full Council meeting.

On February 18th, 2023, after 34 years, I left my position at The Boys & Girls Club of Fall River to accept the position of Director of Community Workforce and Community Partnerships at People Incorporated-Fall River.

In 2020 and 2022, I was proudly elected and have been serving the City of Fall River as a member of the Fall River School Committee. Today, I write to you with full transparency in mind as the reason for my request to be on the agenda.

One reason for this request is, since 2017, Fall River Public Schools and People Inc. have been collaborating with the focus being the re-engagement room at the Robert L. Medeiros Resiliency Preparatory Academy (RPA). When I accepted my new position at People Inc., I was not immediately aware of how much time, and effort would be required working on the re-engagement room program development. Pre-Covid, the staff of People Inc. and RPA worked closely to develop programs and services for the students who wanted to pursue a CNA license, gain carpentry skills, obtain workforce skills and more. Today, post-Covid, all of those programs are now dormant. My position and this collaboration with the FRPS, is to help redevelop new programs and services to offer to the RPA students. Also, please know, I would not be at RPA every day, but I am the direct supervisor for two staff members who work daily, in the re-engagement room at RPA.

The second reason is, the collaboration I mentioned earlier, is contractual. FRPS has been budgeted to pay People Inc. up to \$70,000 since 2017, for services directly allocated for the re-engagement room. The People Inc. annual budget states a portion (differs yearly), of The Director of Workforce and Community Partnerships

7

salary comes from those contracted monies. I was just made aware of this 2 weeks ago, which started this process with the Ethics Commission.

After speaking in length with Ethics Commission legal counsel. She advised me that Massachusetts General laws Chapter 268A Section 20 is the statute that governs whether an elected official can have a financial interest, directly or indirectly, in a contract by a municipal agency of the same city. She further advised that Section 20 (d) of the statute specifically allows a special municipal employee to have a financial interest in a contract with their own agency and for which they have official responsibility, provided they file with the clerk of the city a statement making full disclosure of their interest and the interest of their immediate family, if any, in the contract, and the City Council approves the exemption.

As the City Council is aware, all elected members of the School Committee are Special Municipal Employees. Hence, in accordance with the statute, I have filed I immediately contacted the Ethics Commission and discussed this matter at with the Clerk of the City of Fall River a statement of full disclosure of my interest in the contract, and now respectfully request that this Honorable Body approve the exemption.

Thank you for your consideration of this matter.

Mimi Larrivee



Vice Chairperson

Fall River School Committee

City of Fall River, *In City Council*

(Councilor Linda M. Pereira)

WHEREAS, within the Code of the City of Fall River, Ch.70, §319, there is a standing ordinance regarding the restriction of all-night parking of commercial vehicles that weigh over two tons or more to no longer than "one hour between the hours of 11:00 p.m. and 7:00 a.m. of any day, or at any time on Sunday, except that such vehicle or trailer may be parked for periods in excess of this restriction while actually being loaded or unloaded", and

WHEREAS, there have been numerous complaints from residents that many commercial vehicles have been utilizing public streets for overnight parking, and

WHEREAS, this ordinance violation affects the quality of life of residents as well as the ability for emergency vehicles to safely travel on streets overnight, now therefore

BE IT RESOLVED, that the Committee on Ordinances and Legislation convene with the Police Chief to discuss enforcement and/or necessary amendments to this existing ordinance.

9

City of Fall River, *In City Council*

(Councilor Linda M. Pereira)

WHEREAS, the Bank Street Armory, also known as the Municipal Veterans Memorial, was built in 1897 and was transferred from the Commonwealth to the City of Fall River in 1976, and

WHEREAS, this structure has provided benefits to the community such as being a functional, supplemental military armory and later redeveloped as the former location of the Greater Fall River RE-CREATION organization, and

WHEREAS, this building has fallen into drastic disrepair and needs a significant amount of restoration in order to return it to its former glory, and

WHEREAS, there have been numerous residents and business owners who have expressed concern regarding the future of the Bank Street Armory, now therefore

BE IT RESOLVED, that the Committee on Real Estate convene with representatives from the Administration to discuss the revitalization of this prominent, historical location.

COPY

508-324-2650

Law

RECEIVED



2023 APR 10 P 2:24 City of Fall River
Notice of Claim

CITY CLERK 22-75A

1. Claimant's name: GERMAINE M. SILVIA (22-75)
2. Claimant's complete address: 1873 Rodman STREET, FALL RIVER, MA 02721-3537
3. Telephone number: Home: 508-678-6092 Work: RETIREE'S SPOUSE-CITY OF F.R.
4. Nature of claim (e.g., auto accident, slip and fall on public way or property damage):
SEE ATTACHED

5. Date and time of incident: SEE ATTACHED Amount of damages claimed: \$ SEE ATTACHED

6. Description of the incident: (include as much detail as possible):
SEE ATTACHED PICTURES #1A + 20#1A + B

7. Circumstances of the incident: (attach additional pages if necessary):
SEE #6 ATTACHED + #7 ATTACHED + #3 ATTACHED

8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☒ Yes ☐ No MY AETNA # 10101511590900

NOTICE: AS THE SPOUSE OF A RETIREE DANIEL S. SILVIA DO I PUT YES OR NO?

PERMANENT documents that you provide will become the property of the City of Fall River; therefore, please retain copies of

PERMANENT such documents for your files.) Attach any other information you believe will be helpful in the processing of

STANNE your claim (for example, names and addresses of any witnesses, written medical records if personal injury was

sustained).

(I swear that the facts stated above are true to the best of my knowledge.)

Date: 9/26/2022

Claimant's signature: Germaine M. Silvia

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this form to: City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ DCM

Date: 4/10/23

BRIAN R. CUNHA, Esq.**
NELIA CAMARA DeSTEFANO, Esq.**

HONEY POLNER, Esq., R.N.
KAREN A. ALEGRIA, Esq.**
SHARON D. SYBEL, Esq.**

**MEMBER MA & RI BAR

LAW OFFICES
BRIAN CUNHA
& ASSOCIATES

311 PINE STREET
FALL RIVER, MASSACHUSETTS 02720
(508) 675-9500
FAX: (508) 679-6360

WEBSITE: www.briancunha.com
brian@briancunha.com
nel@briancunha.com
karen@briancunha.com
sharon@briancunha.com
honey@briancunha.com

April 12, 2023

**NOTICE PURSUANT TO M.G.L., CHAPTER 258,
THE TORT CLAIMS ACT**

22-93A

City Clerk's Office
City of Fall River
One Government Center
Fall River, MA 02722

RE: Our Client: Alexis Madeira
Employer: City of Fall River
Employee: Joseph Kennedy
Date of Inj. 12/21/2022

CITY CLERK
FALL RIVER, MA

2023 APR 14 A 11:37

RECEIVED

Dear Sir/Madam:

Please be advised that firm has been retained to represent the above-named, Alexis Madeira with regard to personal injuries she sustained on December 21, 2022 at approximately 8:16 a.m. Ms. Madeira was traveling on Hope Street in Fall River, Massachusetts. At the same time, a vehicle owned by the City of Fall River and operated by Joseph Kennedy was traveling on Eagle Street failed to stop at the posted stop sign and struck Ms. Madeira's vehicle causing personal injuries to Ms. Madeira. A copy of the police report has been attached hereto.

As result of the negligence of Mr. Kennedy, our client was caused to suffer personal injuries to her back and neck.

To the extent that this motor vehicle accident was caused by the negligence of a City of Fall River employee, in a vehicle owned by the City of Fall River, this notice is presented pursuant to M.G.L. Chapter 258.

Upon your receipt of this notice, and any necessary investigation on your part, kindly contact my office with regard to an amicable resolution of this matter.

Very truly yours,
BRIAN CUNHA & ASSOCIATES, P.C.

Sharon D. Sybel, Esq.

SDS/mcp
Encl.

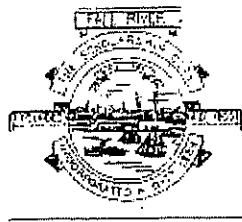
Regular U.S. first Class Mail and
Certified Mail Return Receipt No: 7017 0660 0000 7524 6247

NEW BEDFORD, MA
(508) 991-2100

TOLL FREE
1-800-322-8300

E. PROVIDENCE, RI
(401) 434-5300

orig + copy Law
copy DCM
copy City Comm
copy City Clerk



City of Fall River
Notice of Claim

RECEIVED

2023 APR -6 A 11: 29

CITY CLERK 23-11
FALL RIVER, MA

1. Claimant's name: Joseph E Cowen
2. Claimant's complete address: 18 Dalton PL
3. Telephone number: Home: 774-319-0749 Work: _____
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Unlawful arrest and detainment
5. Date and time of accident: 1 Sept 2017 Amount of damages claimed: \$ 125,000 (35 k/Day)
6. Exact location of the incident: (include as much detail as possible):
15 Allen St, Fall River, Ma 02726
7. Circumstances of the incident: (attach additional pages if necessary):
Mr Cowen was arrested and held 4 days over a long weekend, and released over a long holiday weekend. No charges were filed and he has suffered mental and emotional issues ever since.
~~Wrongful arrest has no statute of limitations~~
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge.

Date: 4 April 2023

Claimant's signature: _____

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

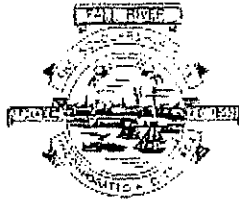
For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator

☒ Police

Date: 4/6/23

YOU CAN VIOLATE STATE LAW



23-12

City of Fall River
Notice of Claim

RECEIVED

2023 APR 12 P 1:09

1. Claimant's name: Hayden R Boule
2. Claimant's complete address: 538 Harvard St Fall River MA 02720
CITY CLERK
FALL RIVER, MA
3. Telephone number: Home: 5086775341 Work: 774-213-9701
4. Nature of claim: (e.g., auto accident, slip and fall on public way or property damage):
Pothole damage to driver front tire causing bubble. Only option was to replace tire
5. Date and time of accident: 3-28-2023 evening Amount of damages claimed: \$ \$196.13
6. Exact location of the incident: (include as much detail as possible):
Natures Medicine parking lot exit
7. Circumstances of the incident: (attach additional pages if necessary):
Rolled over unavoidable hole exiting parking lot traveling less than 1MPH
I can provide photos. No signs or cones were posted and this is the only legal parking lot exit
per their signage.
8. Have you submitted a claim to any insurance company for damages arising from this incident? If so, name and address of insurance company: ☐ Yes ☒ No

Be sure to attach the original of any bills issued or any written estimates of repair or replacement costs. (Any documents that you provide will become the property of the City of Fall River; therefore, please retain copies of any such documents for your files.) Attach any other information you believe will be helpful in the processing of your claim (for example, names and addresses of any witnesses, written medical records if personal injury was sustained).

I swear that the facts stated above are true to the best of my knowledge

Date: 04-04-2023

Claimant's signature: [Signature]

WHEN TO FILE: If your claim is based on a defect in a public way, you must file within 30 days of the incident. If your claim is based on the negligence or wrongful act or omission of the City or its employees, you must file within two years of the incident. PLEASE KEEP A COPY OF THIS FORM FOR YOUR RECORDS.

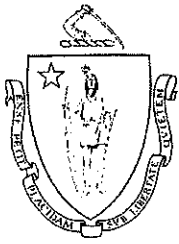
Return this from to : City Clerk, 2nd Fl., One Government Center, Fall River, MA 02722

You should consult with your own attorney in preparing this claim form to understand your legal rights. The Office of the Corporation Counsel is unable to provide legal assistance to private citizens.

For official use only:

Copies forwarded to: ☒ City Clerk ☒ Law ☒ City Council ☐ City Administrator ☒ DPW

Date: 4/12/23



129

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

(617) 727-2200
www.mass.gov/ago

April 12, 2023

OML 2023 – 54

VIA EMAIL ONLY

Gary P. Howayeck, Esq.
Assistant Corporation Counsel
ghowayeck@fallriverma.org

RE: Open Meeting Law Complaint

Dear Attorney Howayeck:

This office received a complaint from Patrick Higgins on October 4, 2022,¹ alleging that the Fall River City Council (the “Council”) violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. The complaint was originally filed with the Council on or about September 14, and you responded on behalf of the Council by letter dated October 4. The complaint alleges that the Council failed to timely approve minutes for its June 14 meeting.

Following our review, we find, and the Council acknowledges, that the Council violated the Open Meeting Law as alleged. In reaching this determination we reviewed the original Open Meeting Law complaint, the Council’s response, the request for further review, and notices posted online for Council meetings held from June 14 to August 16, inclusive.

The Open Meeting Law requires public bodies to create and approve meeting minutes, whether for open or executive session, in a timely manner. G.L. c. 30A, § 22(c). The Attorney General’s Open Meeting Law regulations provide that “timely manner” means “within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay.” 940 CMR 29.11; see OML 2018-48.² Whenever possible, we recommend that minutes of a meeting be approved at the next meeting. See OML 2018-67; OML 2017-133.

¹ All dates are in 2022, unless otherwise noted.

² Open Meeting Law determinations may be found at the Attorney General’s website, www.mass.gov/ago/openmeeting

CITY CLERK
FALL RIVER, MA

2023 APR 12 P 1:20

RECEIVED

The Council held a meeting on June 14. Thereafter, the Council held meetings on June 15, June 28, July 12, and August 16. The minutes of the Committee's June 14 meeting were approved during the Committee's August 16 meeting. We find, and the Council acknowledges, that it failed to approve the minutes of its June 14 meeting within 30 days or three meetings, thus violating the Open Meeting Law.

Next, we must determine whether the Council's violation was, as the Complainant urges, intentional. See G.L. c. 30A, § 23(c). An intentional violation is an "act or omission by a public body or a member thereof, in knowing violation of [the Open Meeting Law]." 940 CMR 29.02. An intentional violation may be found where the public body acted with deliberate ignorance of the law's requirements or has previously been advised that certain conduct violates the Open Meeting Law. Id.

We have previously found the Council in violation of the Open Meeting Law for failure to timely approve minutes for meetings held between 2016-2018 on three occasions. See OML 2016-118; OML 2018-64; OML 2019-39. Although we have previously warned the Council on several occasions regarding this requirement, we understand that the Council takes its obligation to timely create and approve meeting minutes seriously and has done so diligently for several years. We did not find any instances of the Council's failure to timely approve meeting minutes between July 2018 and September 2022, despite the Complainant having filed over 80 complaints with public bodies in Fall River during that time period. Furthermore, in its response the Council explains that when calculating the next three meetings for purposes of timely approving the June 14 meeting minutes, "the Special Meeting of the City Council, held on June 15, 2022 to discuss the Fiscal Year 2023 Budget, was inadvertently not counted."³ We credit the Council's explanation that it inadvertently miscalculated the number of meetings between June 14 and August 16. For these reasons, we decline to find an intentional violation in this instance.

For the reasons stated above, we find that Council violated the Open Meeting Law by failing to timely approve meeting minutes. We order the Council's immediate and future compliance with the Open Meeting Law, and caution that similar future violations could be considered evidence of intent to violate the Law.

³ The Open Meeting Law and the regulations do not distinguish between "regular" meetings and other types of meetings such as workshops, public hearings, or "special meetings" for purposes of timely approval of minutes. See OML 2017-103 (public body should have created complete minutes for its "workshop" meetings because topics discussed were matters within the public body's jurisdiction); OML 2019-115 (no exception for "single topic" meetings or meetings not "normally scheduled").

We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Council. Please feel free to contact the Division at (617) 963-2540 if you have any questions.

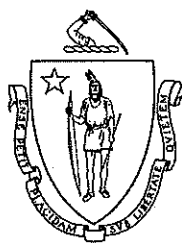
Sincerely,



Elizabeth Carnes Flynn
Assistant Attorney General
Division of Open Government

cc: Fall River City Council (via e-mail: city_council@fallriverma.org)
Alison M. Bouchard, Fall River City Clerk (via email: City_clerks@fallriverma.org)
Patrick Higgins (via email: patrick@openmeetinglawenforcer.com)
Fall River Town Clerk (via e-mail: city_clerks@fallriverma.org)

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

(617) 727-2200
www.mass.gov/ago

April 10, 2023

OML 2023 – 51

Gary P. Howayeck, Esq.
Assistant Corporation Counsel
City of Fall River
One Government Center
Fall River, MA 02722

By email only: ghowayeck@fallriverma.org

RECEIVED
2023 APR 10 P 2:23
CITY CLERK
FALL RIVER, MA

RE: Open Meeting Law Complaints

Dear Attorney Howayeck:

This office received a complaint from Patrick Higgins on October 26, 2022, and a complaint from Collin Dias on December 15, 2022, alleging that the Fall River City Council (the "Council") violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. Mr. Dias' complaint was originally filed with the Council on September 19, 2022, Mr. Higgins' complaint was originally filed with the Council on October 14, 2022, and you responded to both complaints, on behalf of the Council, by separate letters dated October 7, 2022, and October 26, 2022, respectively. Both complaints allege that the Council failed to post notice 48 hours in advance for a meeting held on September 16, 2022.

Following our review, we find that the Council violated the Open Meeting Law in the way alleged. In reaching this determination, we reviewed the original complaints, the Council's responses to the complaints, and the complaints filed with our office requesting further review. We also reviewed the notice and video recording of the Council meeting held on September 13, 2022, and the notice, minutes and video recording of the Council meeting held on September 16, 2022.¹

¹ A video recording of the Board meeting held on September 13 is available at <https://www.youtube.com/watch?v=DRMSuAu0nXk>; a video recording of the Board meeting held on September 16 is available at <https://www.youtube.com/watch?v=UF4ihvQmht0>.

FACTS

We find the facts as follows. On January 3, 2022, the Council held an inauguration ceremony during which the Council unanimously voted for Pam Laliberte-Lebeau as Council President and Michelle Dionne as Council Vice President. The Fall River Municipal Code, as well as the City Charter, states that the Vice President of the Council shall preside in the absence of the Council President. See Municipal Code, Chapter 2, Article 2, Section 2-59; City Charter, Section 2-22.

In August of 2022, Ms. Laliberte-Lebeau was charged with harassment and witness intimidation by the Westport Police Department. On September 13, 2022, at 3:45 P.M., Ms. Laliberte-Lebeau sent an email to the Council and City Clerk resigning as President of the Council. Approximately three hours later, the Council held a duly posted meeting at 7 P.M. At the conclusion of the September 13, 2022, meeting, Ms. Laliberte-Lebeau's resignation letter was read into the record and the Council discussed whether to vote for a new president that evening. Ultimately, the Council decided to wait and discuss the appointment of a new president at its next meeting on September 27, 2022.

On September 15, 2022, at 4:01 P.M., the Council posted notice of a meeting to be held on September 16, 2022, at 6:15 P.M. The notice listed three topics – Citizen Input, "Emergency preamble to act on Council order regarding election of President," and "Order – Election of City Council President for the remainder of 2022."

The September 16, 2022, meeting was held as planned and the Council met for 15 minutes. During the brief meeting, the Council voted for Joseph Camara as Council President by majority vote.

During a duly posted meeting held on January 3, 2023, the Council re-elected Joseph Camara as Council President by majority vote and then voted for Linda Pereira as Council Vice President by majority vote.

DISCUSSION

The Open Meeting Law was enacted "to eliminate much of the secrecy surrounding deliberation and decisions on which public policy is based." Ghiglione v. School Council of Southbridge, 376 Mass. 70, 72 (1978). The Open Meeting Law requires that, except in an emergency, "a public body shall post notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays." G.L. c. 30A, § 20(b). In an emergency, a public body shall post notice as soon as reasonably possible prior to such meeting. G.L. c. 30A, § 20(b). An "emergency" is defined as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action." G.L. c. 30A, § 18. The burden of justifying the need for an emergency meeting lies with the public body. See OML 2012-7; OML 2010-6.²

² Open Meeting Law determinations may be found at the Attorney General's website, <https://www.mass.gov/the-open-meeting-law>.

The complaints allege that the Council failed to post notice 48 hours prior to the September 16, 2022, meeting. Here, the Council posted notice approximately 24 hours before the September 16, 2022, meeting. The Council contends that the September 16, 2022, meeting qualified as an emergency because all Council members were not available to meet the week of September 19, 2022, and as such all members would not have been afforded “the opportunity to participate and select a President for the remainder of the year.” The Council also maintains that the vote to elect a President was necessary and “directly related to the governing of the City” and therefore “it was important to not delay the election of President.” Further, the Council suggests that, without a Council President, had the Mayor become temporarily unable to perform his duties, no one would have been available as acting mayor. See City Charter, Section 3-8(a) (whenever, by reason of sickness or other cause, the mayor is unable to perform the duties of the office, the president of the city council shall be the acting mayor unless the president of the city council is unable or unwilling to serve).

We find that these circumstances are insufficient to qualify as an “emergency” for purposes of the Open Meeting Law. Where a public body has at least 48 hours’ notice of circumstances that are likely to require deliberation, it is not an emergency. See OML 2011-45. Here, the Council was aware on September 13, 2022, of the need to discuss and vote for a new President. While the inability to convene members of a body prior to a deadline may be unexpected, we have stated before that this is not “a sudden or generally unexpected occurrence” under the Open Meeting Law. See OML 2015-85; OML 2013-92. The Council cannot rely on the Open Meeting Law’s “emergency” exception to the 48-hour notice posting requirement to address scheduling problems. See OML 2013-92. Moreover, we disagree with the Council’s assertions that the imminent election of a new President was necessary for governance of the City. Both the City Charter and City Municipal Code state that in the event that the Council President is unable to serve in the absence of the Mayor, the Council Vice President shall preside over both the Council and the City. See City Charter, Section 2-22 (the vice president shall preside in the absence of the president); City Charter, Section 3-8(c) (in the event that the city council president is unable or unwilling to serve as acting mayor, the vice president of the city council shall serve as acting mayor); Municipal Code Chapter 2, Article 2, Section 2-59 (the vice president who is elected annually by the Council shall preside in the absence of the president). Furthermore, there is no suggestion that the Mayor was unable to perform his duties at the time of the September 16, 2022, meeting and therefore there was no “sudden, generally unexpected occurrence or set of circumstances” that justified holding a meeting with less than 48 hours’ notice. See G.L. c. 30A, § 18; OML 2011-45 (emergency meetings are reserved for circumstances that are unanticipated and require an immediate response, for example, to protect public safety or health). Because there was no valid emergency basis for this meeting, we find that the Council violated the Open Meeting Law by convening its September 16, 2022, meeting without posting notice at least 48 hours in advance of the meeting. See OML 2021-9; OML 2014-150.

We note that the Council could have discussed and voted for a new president during its September 13, 2022, meeting, for which notice had been timely posted, even though this topic was not listed on the meeting notice. Here, the Council could not have reasonably anticipated this discussion 48 hours prior to the meeting where Ms. Laliberte-Lebeau submitted her resignation only hours before the meeting was to occur. See OML 2017-2; OML 2013-87. The

Open Meeting Law requires that public bodies post notice of each meeting "at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays" and that every notice include "the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting." G.L. c. 30A, § 20(b). A public body may discuss a topic not listed on a meeting notice if the topic was not reasonably anticipated by the chair 48 hours in advance of the meeting. See OML 2017-2; OML 2013-87.

With respect to Mr. Dias' allegation that the Council did not make an adequate announcement that the September 16, 2022, meeting was being recorded, this allegation is nearly identical to those made by Mr. Dias in a complaint against the Fall River Conservation Committee, which we addressed in OML 2020-159, in a complaint against the Fall River City Council Subcommittee of Health and Environmental Affairs, which we addressed in OML 2021-39, and in a complaint against the Fall River City Council Committee on Finance, which we addressed in OML 2021-80. For the same reasons expressed in those determinations, we also find no violation here as the clerk's statement satisfied the requirement that a public body inform attendees of any recording. See G.L. c. 30A, § 20(f).

Finally, with respect to Mr. Higgins' concern that the City Clerk did not have the lawful authority to convene the Council meeting held on September 16, 2022, this allegation goes to the authority of individuals versus the Council to take action on particular matters, which is not a matter governed by the Open Meeting Law. See OML 2018-144. We offer no opinion on whether the action taken by the City Clerk could be a violation of the City Charter, or some other law or regulation outside the scope of the Division's review. See OML 2021-133.

CONCLUSION

For the reasons stated above, we find that the Council violated the Open Meeting Law by failing to post notice 48 hours prior to the September 16, 2022, meeting. We order immediate and future compliance with the law's requirements, and we caution that similar future violations could be considered evidence of intent to violate the law.

We now consider the complaints addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Council. Please feel free to contact our office at (617) 963-2540 if you have any questions regarding this letter.

Sincerely,

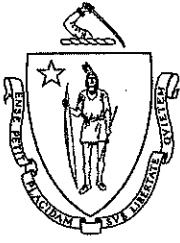


KerryAnne Kilcoyne
Assistant Attorney General
Division of Open Government

cc: Patrick Higgins – By email only: patrick@openmeetinglawenforcer.com
Collin Dias – By email only: collind00@aol.com
Fall River City Council – By email only: city_council@fallriverma.org

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.

12C



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

(617) 727-2200
www.mass.gov/ago

April 10, 2023

OML 2023 – 50

Gary P. Howayeck, Esq.
Assistant Corporation Counsel
City of Fall River
One Government Center
Fall River, MA 02722

By email only: ghowayeck@fallriverma.org

RE: Open Meeting Law Complaint

Dear Attorney Howayeck:

This office received a complaint from Patrick Higgins on February 7, 2023, alleging that the Fall River City Council (the “Council”) violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. The complaint was originally filed with the Council on or about January 20, 2023, and you responded to the complaint, on behalf of the Council, by letter dated February 6, 2023. The complaint alleges that the Council deliberated outside of a properly posted meeting.

We resolve this matter by **informal action**, in accordance with 940 CMR 29.07(2)(a), after reviewing the original complaint, the Council’s response to the complaint, the complaint filed with our office requesting further review, and the notice, minutes and video recording of the Council meeting held on January 3, 2023.¹ We find that the Council did not violate the Open Meeting Law in the way alleged.

The Fall River City Charter states that “the members of the city council shall elect from among its members a president and vice-president who shall serve for a 1 year term.” City Charter, Section 2-22(a). On December 8, 2022, at 12:49 P.M., the Council posted notice of a meeting to be held on January 3, 2023, at 6:00 P.M. The notice listed two topics – Citizen Input

¹ A video recording of the Council meeting held on January 3, 2023, is available at <https://www.youtube.com/watch?v=FGqS6b2c4Go>.

RECEIVED
2023 APR 10 P 2:23
CITY CLERK
FALL RIVER, MA

and "Council Orders: a. Election of President for the year 2023, b. Election of Vice President for the year 2023." The January 3, 2023, meeting was held as planned and the Council met for approximately 15 minutes. During the brief meeting, the Council voted for Joseph Camara as Council President by majority vote and for Linda Pereira as Council Vice President by majority vote.

The Open Meeting Law was enacted "to eliminate much of the secrecy surrounding deliberation and decisions on which public policy is based." Ghiglione v. School Council of Southbridge, 376 Mass. 70, 72 (1978). The Open Meeting Law requires that meetings of a public body be properly noticed and open to members of the public, unless an executive session is convened. See G.L. c. 30A, §§ 20(a)-(b), 21. A "meeting" is defined, in relevant part, as "a deliberation by a public body with respect to any matter within the body's jurisdiction." G.L. c. 30A, § 18. The law defines "deliberation" as "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction." Id. For the purposes of the Open Meeting Law, a "quorum" is a simple majority of the members of a public body. Id.

The complaint alleges that the Council must have deliberated outside of an open meeting and discussed the appointment of President and Vice President "as evident by the votes" of the Council. We have stated in prior determinations that agreement without substantive discussion among public body members or even the lack of substantive discussion prior to a vote is insufficient to support the inference that those members deliberated outside of a noticed meeting. See OML 2017-125; OML 2017-93; OML 2013-128.² The Council denies that it discussed the leadership of the Council outside of a properly posted meeting.³ Absent specific evidence to the contrary, we credit the public body's version of events that it did not deliberate outside of the January 3, 2023, meeting. See OML 2021-30; OML 2015-8; OML 2014-122.

Finally, with respect to the concern raised in the complaint that the City Clerk did not have the lawful authority to convene the Council meeting held on January 3, 2023, this allegation goes to the authority of individuals versus the Council to take action on particular matters, which is not a matter governed by the Open Meeting Law. See OML 2018-144. We offer no opinion on whether the action taken by the City Clerk could be a violation of the City Charter, or some other law or regulation outside the scope of the Division's review. See OML 2021-133.

² Open Meeting Law determinations may be found at the Attorney General's website, <https://www.mass.gov/the-open-meeting-law>.

³ We note that during a meeting held on September 16, 2022, the Council voted in the exact same manner as it did during the January 3, 2023, meeting and appointed Joseph Camara as Council President by majority vote.

For the reasons stated above, we find that the Council did not violate the Open Meeting Law. We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Council. Please feel free to contact our office at (617) 963-2540 if you have any questions regarding this letter.

Sincerely,



KerryAnne Kilcoyne
Assistant Attorney General
Division of Open Government

cc: Patrick Higgins – By email only: patrick@openmeetinglawenforcer.com
Fall River City Council – By email only: city_council@fallriverma.org
Fall River Town Clerk – By email only: city_clerks@fallriverma.org

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.

City Council

From: Dave <dave02720@gmail.com>
Sent: Tuesday, April 18, 2023 4:00 PM
To: City Council
Subject: [EXTERNAL] Trash, parking, suspicious activity

*** CAUTION: This email originated from a sender outside of the City of Fall River mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe. If you are unsure of the validity of the email, please contact IT. ***

To whom it may concern-

My name is David De Sousa and I reside at 644 Hood St. across from the Cardinal Medeiros Towers. I have made several attempts try try to have the trash and refuse from the apartment building secured. All the garbage including discarded gloves, masks, papers and cans blow onto my property from the unsecured dumpsters on the property.

My most recent email to the mayor's office was forwarded to the housing board.

It's very annoying to come home after a day of work to have to pickup someone else's trash in my yard and driveway.

Recently I have been struggling with vehicles, including employee vehicles, crowding my driveway. I have asked for some type of signage to be posted, but I have a feeling I'm fighting a losing battle.

New problem is suspicious activity happening in broad daylight. Between the residents in the apartment building and the occupants that live in the house next door (to the east) this happens on an almost daily basis or at least that I can see if I happen to be outside or looking out the window. I'm thinking there are drug deals happening right out in the open. Cars pull up, someone runs out of the building, small exchange through the vehicle window, resident runs back in, car drives off.

I noticed from the Fall River website that some of the council members live in close proximity to my area. I guess my question is, would you want this going on in front of your house? I have not been able to get anywhere regarding these issues. If needed I will attend a council meeting in order to try to find a solution to these issues. Any direction that anyone can give me would be greatly appreciated. I would gladly meet or speak with someone regarding any of these issues, my phone number is listed below.

Thank you in advance for any help you can give regarding these issues. I would imagine the city has its share of problems to deal with, but this is and has been, an ongoing worsening problem.

David DeSousa
644 Hood St.
774-644-1945

City Council, April 20, 2023

- do these are some
important matters
that should be
handled with the
Cab Companies in
Fall River.
1) they are Red Line when
answering the phones
2) tell them to take that
Red Line bus answering
question of 6 of number
their phone.
3) Stop telling people
they need other to
pick them up, their
too busy for them
4) move their phones
and get Duke Red Line
5) Stop telling the
customers they have
more important people
to pick up.

- 6) stop telling them
that only pick up
clutter, people want
it, these are great just
for 65 a dollar
8) they stay in the
Cab & don't help
with packages while
the customer are being
mugged.
9) this is Rule &
the City is going to
be strict if it keeps
up

RECEIVED
APR 23 10 13 AM
CITY CLERK
FALL RIVER
MA
Approved
D. Ryan
D. Ryan



**City of Fall River
Massachusetts
Planning Department**

RECEIVED

2023 APR 19 P 3:16

PAUL E. COOGAN
Mayor

DANIEL AGUIAR
City Engineer/Acting Planner
FALL RIVER, MA

TO: Alison Bouchard
City Clerk

FROM: Fall River Planning Board

RE: **PLANNING BOARD MINUTES**
February 8, 2023

The Fall River Planning Board held a Public Meeting at 5:30 p.m. on Wednesday, February 8, 2023, in the 1st Floor Hearing Room, One Government Center, Fall River, MA for the purpose of considering the matters set forth in the agenda originally posted with your office on February 2, 2023.

Members present: John Ferreira, Chair; Gloria Pacheco, Vice Chair; Elizabeth Andre; Mario Lucciola

Members absent: None.

Also present: Dan Aguiar, Director of Engineering and Planning; Nina Krueger, Recording Clerk; and Craig Salvador, FRGTV.

"Minutes" of this meeting are as follows:

Mr. Ferreira opened the meeting at 5:30 pm with roll call attendance and read the Open Meeting Law statement.

Old Business

01. ROADWAY RECONSTRUCTION – WOOD STREET

Section 66-185 City Ordinance. Considering the Roadway Reconstruction Plan and Profile of the Wood Street Ext.

Mr. Aguiar explained that the Planning Department was still waiting on revised plans from the applicant and recommended that the board table this item to the next meeting.

Upon a motion duly made by Ms. Andre and Seconded by Ms. Pacheco, it was unanimously VOTED 4-0 to continue this item to the March 8, 2023 meeting to allow the applicant time to revise the roadway reconstruction plan.

Documents used during the meeting:
Roadway Reconstruction Plan

Revised Roadway Reconstruction Plan

Memo letter from the Department of Engineering and Planning and the Department of Community Utilities.

New Business

1. DEFINITIVE SUBDIVISION – HIGHLAND FARMS

Discussion of the subdivision construction completion of the Highland Farms Definitive Subdivision.

Mr. Aguiar explained that the first phase of the Highland Farms development was completed. He explained that all of the required steps to assess the completion of the project were taken and that the Planning Board needed to vote and sign off on a Subdivision Completion and Release of Performance Secured by Irrevocable Letter of Credit form in order to mark this subdivision complete.

Upon a motion duly made by Mr. Lucciola and Seconded by Ms. Andre, it was unanimously VOTED 4-0 that the subdivision had been completed in accordance of the approved plans.

Upon a motion duly made by Ms. Pacheco and Seconded by Mr. Lucciola, it was unanimously VOTED 4-0 that the surety could be released.

Documents used during the meeting:

Subdivision Completion and Release of Performance Secured by Irrevocable Letter of Credit Form

2. FORM-A Application for Endorsement of Plan Believed Not to Require Approval (ANR Plan of Land)

File No. 23-1550

Owner/Applicant: RD Holdings LLC

Property Location: 53 Harvard St.

Assessors Map: S-05-0037

Mr. Aguiar explained that this petition is a re-subdivision of a plan which had previously been endorsed at the July Planning Board Meeting. He explained that the applicant wanted to change the frontage from Harvard St. to Stowe St. Mr. Aguiar explained that the ANR plan meets all requirements and that it is afforded the ability to be endorsed by the Planning Board.

Upon a motion duly made by Ms. Pacheco and Seconded by Ms. Andre, it was unanimously VOTED 4-0 to direct the Chair to endorse the plan "approval under the subdivision control law not required."

Documents used during the meeting:

Form A Application for Endorsement of Plan Believed Not to Require Approval

Tax Certification Form

Approval Not Required Plan of Land

Certificate of Organization for RD Holdings LLC

3. FORM-A Application for Endorsement of Plan Believed Not to Require Approval (ANR Plan of Land)

File No. 23-1550

Owner/Applicant: River Trail Condominium, LLC

Property Location: 644 Rodman St.

Assessors Map: I-20-0007

Mr. Aguiar explained that this petition is to subdivide the parcel into three (3) separate lots, one lot containing an existing warehouse, another containing an existing warehouse, and a third vacant lot. He explained that the ANR plan meets all requirements and that it is afforded the ability to be endorsed by the Planning Board.

Upon a motion duly made by Mr. Lucciola and Seconded by Ms. Pacheco, it was unanimously VOTED 4-0 to direct the Chair to endorse the plan "approval under the subdivision control law not required."

Documents used during the meeting:

Form A Application for Endorsement of Plan Believed Not to Require Approval

Tax Certification Form

Approval Not Required Plan of Land

Certificate of Organization for River Trail Condominium, LLC

4. Approval of Minutes: January 11, 2023

Upon a motion duly made by Ms. Andre and Seconded by Mr. Lucciola, it was unanimously VOTED 4-0 to approve the minutes from the January 11, 2023 meeting.

5. Citizens' Input:

No one was present for Citizens' Input.

6. Adjournment

Upon a motion duly made by Ms. Pacheco and Seconded by Ms. Andre, it was unanimously VOTED 4-0 to adjourn at 5:38pm.

List of documents and other exhibits used during the meeting:

Planning Board Agenda for 02/08/2023 Meeting

Planning Board Minutes from 12/14/2022 Meeting

Recording Clerk

In Planning Board, March 8, 2023

Approved

1a



**City of Fall River
Massachusetts
Planning Department**

RECEIVED

2023 APR 19 P 3:16

PAUL E. COOGAN
Mayor

DANIEL AGUIAR
*CITY CLERK
City Engineer/Acting Planner
FALL RIVER, MA*

TO: Alison Bouchard
City Clerk

FROM: Fall River Planning Board

RE: **PLANNING BOARD MINUTES**
March 8, 2023

The Fall River Planning Board held a Public Meeting at 5:30 p.m. on Wednesday, March 8, 2023, in the 1st Floor Hearing Room, One Government Center, Fall River, MA for the purpose of considering the matters set forth in the agenda originally posted with your office on February 17, 2023 and revised on March 2, 2023. Notice of the meeting was advertised in the Fall River Herald News on Wednesday, February 22, 2023, and Tuesday, February 28, 2023.

Members present: John Ferreira, Chair; Gloria Pacheco, Vice Chair; Michael Farias

Members absent: Elizabeth Andre; Mario Lucciola

Also present: Christopher Parayno, Assistant Planner; Nina Krueger, Recording Clerk; and Craig Salvador, FRGTV.

"Minutes" of this meeting are as follows:

Mr. Ferreira opened the meeting at 5:30 pm with roll call attendance and read the Open Meeting Law statement.

Old Business

01. ROADWAY RECONSTRUCTION – WOOD STREET

Section 66-185 City Ordinance. Considering the Roadway Reconstruction Plan and Profile of the Wood Street Ext.

Mr. Parayno explained that the applicant had reached out to the Planning Department requesting additional time to revise the roadway reconstruction plan and recommended that the board table this item to the next meeting.

Upon a motion duly made by Ms. Pacheco and Seconded by Mr. Farias, it was unanimously VOTED 3-0 to continue this item to the April 12, 2023 meeting to allow the applicant time to revise the roadway reconstruction plan.

Documents used during the meeting:

Roadway Reconstruction Plan

Revised Roadway Reconstruction Plan

Memo letter from the Department of Engineering and Planning and the Department of Community Utilities.

Email from applicant requesting additional time

New Business

1. REPETITIVE PETITION – KEVIN OLIVEIRA

334 Vale St., Map E-01 Lot 50

In accordance with M.G.L. c.40A §16 and §86-487 of the Fall River Zoning Bylaw, the applicant requests that the Fall River Planning Board make a determination that the submitted proposal contains specific and material changes in the conditions for which unfavorable action had previously been taken by the City of Fall River Zoning Board of Appeals. On June 9, 2022, the applicant was denied a zoning variance to allow the subject 6,758 sq. ft. property into two (2) lots, leaving the existing five-family dwelling on a 3,100 sq. ft. lot and the existing commercial building on a 3,658 sq. ft. lot. The board found that the petitioner had not produced sufficient evidence that the proposal met the prerequisites for the granting of a variance. This property is located in a B-L (Local Business) Zoning District.

The current variance petition requests permission to divide the subject property into two (2) building lots, leaving the existing non-conforming five-family dwelling on a 3,224 sq. ft. lot and the existing commercial building, which will be converted to a residence, on a 3,534 sq. ft. lot. It is of the applicant's opinion that these proposed material changes warrant the ability to appear before the Fall River Zoning Board of Appeals for the purpose of re-hearing the petition.

Upon a motion duly made by Mr. Farias and Seconded by Ms. Pacheco, it was unanimously VOTED 3-0 to table the petition to the April 12, 2023 meeting.

Documents used during the meeting:

Letter Requesting Repetitive Petition

Tax Certification Form

Certified Abutters' List

Repetitive Petition Site Plan

Previous Zoning Board of Appeals Application (06/09/2022)

Previous Zoning Board of Appeals Site Plan (06/09/2022)

Previous Zoning Board of Appeals Decision (06/09/2022)

2. REPETITIVE PETITION – JANET HARRISON

18 Holland St., Map T-21 Lot 30

In accordance with M.G.L. c.40A §16 and §86-487 of the Fall River Zoning Bylaw, the applicant requests that the Fall River Planning Board make a determination that the submitted proposal contains specific and material changes in the conditions for which unfavorable action had previously been taken by the City of Fall River Zoning Board of Appeals. On September 15, 2022, the applicant was denied a zoning variance to allow the division of the subject property into three (3) building lots, in the process demolishing the existing single-family dwelling. The board found that the petitioner had not produced sufficient evidence that the proposal met the prerequisites for the granting of a variance. This property is located in an S (Single Family) Zoning District.

K

The current variance petition requests permission to divide the subject property into two (2) building lots, leaving the existing non-conforming single-family dwelling on a conforming building lot, and creating a new substandard building lot having an area of 10,050 sq. ft. with 70 ft. of frontage on Holland St. It is of the applicant's opinion that these proposed material changes warrant the ability to appear before the Fall River Zoning Board of Appeals for the purpose of re-hearing the petition.

Upon a motion duly made by Ms. Pacheco and Seconded by Mr. Farias, it was unanimously VOTED 3-0 to table the petition to the April 12, 2023 meeting.

Documents used during the meeting:

Letter Requesting Repetitive Petition

Tax Certification Form

Certified Abutters' List

Repetitive Petition Site Plan

Previous Zoning Board of Appeals Application (09/15/2022)

Previous Zoning Board of Appeals Site Plan (09/15/2022)

Previous Zoning Board of Appeals Decision (09/15/2022)

3. REPETITIVE PETITION – TETRAULT REAL ESTATE, LLC

246 Beattie St., Map L-10 Lot 9

In accordance with M.G.L. c.40A §16 and §86-487 of the Fall River Zoning Bylaw, the applicant requests that the Fall River Planning Board make a determination that the submitted proposal contains specific and material changes in the conditions for which unfavorable action had previously been taken by the City of Fall River Zoning Board of Appeals. On October 20, 2022, the applicant was denied a zoning variance to allow the division of the subject property into two (2) lots, leaving the existing three-family dwelling on one lot and constructing a two-family dwelling on the new lot. The board found that the petitioner had not produced sufficient evidence that the proposal met the prerequisites for the granting of a variance. This property is located in an M (Multi-Family) Zoning District.

The current petition requests permission to construct a new two-family dwelling on the property, structurally connecting it to the existing three-family dwelling, resulting in the creation of a single five-family dwelling on the property. Five-family dwellings are an allowed use in the M zoning district, and the subject property has sufficient area and frontage to support the structure. However, relief is being requested for side yard and rear yard setbacks, as well as lot coverage. It is of the applicant's opinion that these proposed material changes warrant the ability to appear before the Fall River Zoning Board of Appeals for the purpose of re-hearing the petition.

Upon a motion duly made by Mr. Farias and Seconded by Ms. Pacheco, it was unanimously VOTED 3-0 to table the petition to the April 12, 2023 meeting.

Documents used during the meeting:

Letter Requesting Repetitive Petition

Tax Certification Form

Certified Abutters' List

Repetitive Petition Site Plan

Previous Zoning Board of Appeals Application (10/20/2022)
 Previous Zoning Board of Appeals Site Plan (10/20/2022)
 Previous Zoning Board of Appeals Decision (10/20/2022)

**4. REPETITIVE PETITION – SCOTTIE VIVEIROS c/o Atty. Peter A. Saulino
 15 Anderson St., Map D-06 Lot 16**

In accordance with M.G.L. c.40A §16 and §86-487 of the Fall River Zoning Bylaw, the applicant requests that the Fall River Planning Board make a determination that the submitted proposal contains specific and material changes in the conditions for which unfavorable action had previously been taken by the City of Fall River Zoning Board of Appeals. On December 15, 2022, the applicant was denied zoning relief to divide the property location into two (2) lots, leaving the existing dwelling on one non-conforming lot and creating a second non-conforming lot. The current petition requests permission to divide the property location in a manner that will leave the existing home on a conforming lot, and create a new lot for which the only non-conformities are frontage and area. This property is located in an S (Single Family) Zoning District.

Upon a motion duly made by Ms. Pacheco and Seconded by Mr. Farias, it was unanimously VOTED 3-0 to table the petition to the April 12, 2023 meeting.

Documents used during the meeting:

Letter Requesting Repetitive Petition
 Tax Certification Form
 Certified Abutters' List
 Repetitive Petition Site Plan
 Previous Zoning Board of Appeals Application (12/15/2022)
 Previous Zoning Board of Appeals Site Plan (12/15/2022)
 Previous Zoning Board of Appeals Decision (12/15/2022)

5. FORM-A Application for Endorsement of Plan Believed Not to Require Approval (ANR Plan of Land)

File No. 23-1552

Owner/Applicant: Daniel Quintal Sr. & Daniel Quintal Jr.

Property Location: 1311 & 1313 South Main St.

Assessors Map: G-24-0003

Mr. Parayno explained that this petition is a re-subdivision of a plan which had previously been endorsed at the January Planning Board Meeting and that the applicant needed to adjust the property line. Mr. Parayno explained that the ANR was filed in accordance with a variance that was granted September 15, 2022, and recommended that the Board endorse the plan.

Upon a motion duly made by Ms. Pacheco and Seconded by Mr. Farias, it was unanimously VOTED 3-0 to direct the Chair to endorse the plan "approval under the subdivision control law not required."

Documents used during the meeting:

Form A Application for Endorsement of Plan Believed Not to Require Approval

Tax Certification Form
Approval Not Required Plan of Land

6. FORM-A Application for Endorsement of Plan Believed Not to Require Approval (ANR Plan of Land)

File No. 23-1553

Owner/Applicant: Marino Z. Benevides

Property Location: 482 & 486 Snell St.

Assessors Map: I-24-0023

Mr. Parayno explained that this ANR petition to subdivide the existing parcel into three (3) lots was filed in accordance with a variance that was granted January 19, 2023, and recommended that the Board endorse the plan.

Upon a motion duly made by Mr. Farias and Seconded by Ms. Pacheco, it was unanimously VOTED 3-0 to direct the Chair to endorse the plan "approval under the subdivision control law not required."

Documents used during the meeting:

Form A Application for Endorsement of Plan Believed Not to Require Approval

Tax Certification Form

Approval Not Required Plan of Land

7. Approval of Minutes: February 8, 2023

Upon a motion duly made by Ms. Pacheco and Seconded by Mr. Farias, it was unanimously VOTED 3-0 to table the minutes from the February 8, 2023 meeting.

8. Citizens' Input:

No one was present for Citizens' Input.

9. Adjournment

Upon a motion duly made by Ms. Pacheco and Seconded by Mr. Farias, it was unanimously VOTED 3-0 to adjourn at 5:38pm.

List of documents and other exhibits used during the meeting:

Planning Board Agenda for 02/08/2023 Meeting

Planning Board Minutes from 12/14/2022 Meeting

Recording Clerk

In Planning Board, April 12, 2023

Approved

JOINT MEETING OF THE CITY COUNCIL AND SCHOOL COMMITTEE

MEETING: Tuesday, April 11, 2022 at 5:30 p.m.
Council Chamber, One Government Center

PRESENT: Vice President Linda M. Pereira, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,
Andrew J. Raposo and Laura-Jean Washington

ABSENT: President Joseph D. Camara, Councilors Pamela S. Laliberte and
Leo O. Pelletier

IN ATTENDANCE: The Honorable Paul E. Coogan, Mayor
Seth Thomas Aitken, City Administrator
Bridget Almon, Director of Financial Services
Maria Pontes, Superintendent, Fall River Public Schools
Kevin Almeida, Chief Financial Officer, Fall River Public Schools

Vice President Linda M. Pereira called the meeting to order at 5:30 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

A roll call was taken of the School Committee Members:

PRESENT: Mayor Paul E. Coogan, Kevin Aguiar, Bobby Bailey, Paul Hart,
Mimi Larrivee, Shelli Pereira and Sara Rodrigues

ABSENT: None

1. Citizens' Input - None
2. Review of the Fiscal and Financial condition of the City, Revenue and Expense Forecasts, and other relevant information in preparation for the Fiscal Year 2024 Budget
The Honorable Paul E Coogan, Mayor, asked representatives from the administration and School Department to give presentations on the Fiscal Year 2024 Budget forecast.

Maria Pontes, Superintendent, Fall River Public Schools, made brief remarks regarding the School Department's goals for 2024, including student education growth and staffing of qualified teachers and staff. Kevin Almeida, Chief Financial Officer, Fall River Public Schools, presented a detailed PowerPoint presentation.

Councilor Shawn E. Cadime asked for clarification regarding enrollment data as elementary schools and high schools showed more student enrollment than middle schools. Superintendent Pontes stated that she would collect that data and provide the information to the City Council in the near future. Councilor Bradford L. Kilby expressed interest in working toward a higher level of diversity in School Department staff, especially those who may be multilingual, to help students feel more comfortable, which helps with efficient learning. Superintendent Pontes gave information regarding different types of hiring events the School Department will be attending to work on recruiting more multilingual teachers and staff.

Kevin Aguiar, School Committee member, arrived at 5:43 p.m.

Councilor Andrew J. Raposo inquired about the plan to renovate older schools to help the City provide space for more pre-kindergarten enrollment. Superintendent Pontes stated that she did not have specific information available but that she would work to share that information with the City Council. Councilor Cadime asked for clarification regarding the required local contribution for funding from the Commonwealth and how that was being determined. Bridget Almon, Director of Financial Services, stated that she was working with Mr. Almeida to examine expenditures for this portion of the budget but that she could not answer specific questions at this time. Councilor Raposo asked for an explanation regarding transportation funding, as the budgeted number appeared lower than Fiscal Year 2023. Mr. Almeida gave a detailed explanation of different forms of funding the City utilizes for transportation and stated that this budget only represents a portion of the funding that is used. Councilor Cadime expressed concern that the School Department budget appears to be inadequate each year in regards to Net School Spending Compliance and stated that the City Council could work with Mr. Almeida to adjust these budgets during the application process. Mr. Almeida explained the timeline of the application with the Commonwealth and concurred that the City Council should be included in the process. Councilor Raposo asked for clarification as to whether or not new positions would be created with the School Committee's plan for reorganization. Superintendent Pontes confirmed that new positions would be created and that vacant positions from 2022 would also be included. Councilor Cadime inquired as to when it was anticipated that the need for hiring would decrease. Superintendent Pontes explained that the schools are not staffed appropriately which affects the education of the City's students. She stated there is no timeline currently as to when hiring would be satisfactory and they were frequently losing employees to other local municipalities. Superintendent Pontes explained that the School Department is currently working on collective bargaining agreements and is also working to recruit students who are working on completing their education degrees. Councilor Cadime asked for further clarification as to whether or not this budget also included unemployment benefit costs. Mr. Almeida confirmed that those factors were included in the budget plan.

Seth Thomas Aitken, City Administrator, made brief remarks regarding the goals of the City's budget for Fiscal Year 2024, including addressing specific needs of each department regarding facilities, property and equipment and the development of the new MUNIS software to assist with budget data.

Bridget Almon, Director of Financial Services, presented a detailed PowerPoint presentation regarding the City's budget goals for Fiscal Year 2024.

Councilor Kilby expressed concern that the Commonwealth's deadline for final numbers regarding Fiscal Year 2024 budgets was extended and that it may affect the timeline for the City's budget. Mr. Aitken emphasized that the administration is committed to presenting the budget in a timely manner and it is expected during the second week of May. Councilor Cadime

asked for clarification regarding budget assumptions and the overall spending of the City. Ms. Almon stated that the goal is to reduce borrowing and to mainly utilize the Stabilization Fund for necessary expenditures. Ms. Almon also stated that due to the new school projects throughout the City, the administration is applying for as many grants as possible to reduce the financial burden for tax payers. Councilor Raposo asked if the new budget included plans regarding the recent re-organization of the divisions within the Department of City Operations. Mr. Aitken confirmed that it was created with the position adjustments included. Councilor Cadime asked for an explanation regarding incomplete costs within the budget and Mr. Almeida stated they are currently addressing those and there is no current timeline for their resolution. Mr. Aitken agreed and stated that it is a large project as costs of construction have changed significantly since previous budget proposals. Ms. Almon explained that information was needed from outside parties, which was also contributing to the delay. Mr. Aitken also explained they are currently working on an official bond for the new Diman Regional Vocational Technical High School project. Ms. Almon also stated that based on her assessment, the City would experience a deficit with the cost of this project and that forecast did affect the planning of budgets going forward but they are working through it as it was expected.

The School Committee adjourned their meeting at 6:51 p.m.

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adjourn the City Council at 6:51 p.m.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

PowerPoint Presentation by Kevin Almeida, CFO, Fall River Public Schools

PowerPoint Presentation by Bridget Almon, Director of Financial Services

A true copy. Attest:

Alison M Bouchard

City Clerk

CITY COUNCIL PUBLIC HEARINGS

MEETING: Tuesday, April 11, 2023 at 5:55 p.m.
Council Chamber, One Government Center

PRESENT: Vice President Linda M. Pereira, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,
Andrew J. Raposo, and Laura-Jean Washington

ABSENT: President Joseph D. Camara, Councilors Pamela S. Laliberte and
Leo O. Pelletier.

IN ATTENDANCE: None

The Vice President called the meeting to order at 7:05 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium and that the purpose of the hearing was to hear all persons interested and wishing to be heard on the following:

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to open the hearing, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Councilor Bradford L. Kilby arrived at 7:07 p.m.

Curb Removal

1. Jeremy Corriveau, 146 Elizabeth Street, for the removal of curbing as follows:

	Existing Opening	Curbing to be Removed	Curbing to be Added	Combined Opening Proposed After Alteration
146 Elizabeth Street	12.7'	8.0'	0'	20.7'

The parcel is currently serviced by a 12.7' paved driveway. The property owner is proposing to extend that opening an additional 8' for a total opening of 20.7'. The applicant has received Site Plan Review approval, and shall be required to repair any and all shoulder/sidewalk/roadway/curbing affected by this construction activity.

The Vice President asked if there were any proponents to be heard and no one came forward.

The Vice President asked if there were any opponents to be heard and no one came forward.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Laura-Jean Washington, it was unanimously voted to close the hearing, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to open the hearing, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Auto Repair Shop

2. Joseph D. Melo, 317 Middle Road, Acushnet, MA 02743 d/b/a JDM & Sons Inc. for the license to operate an auto repair shop at 1262 Brayton Avenue, on Lot J-24-2 Assessors Plan.

The Vice President asked if there were any proponents to be heard and no one came forward.

The Vice President asked if there were any opponents to be heard and no one came forward.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Laura-Jean Washington, it was unanimously voted to close the hearing, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adjourn the public hearing at 7:09 p.m., with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda (attached)

DVD of meeting

A true copy. Attest:

Alison M Bouchard

City Clerk

COMMITTEE ON FINANCE

MEETING: Tuesday, April 11, 2023 at 6:00 p.m.
Council Chamber, One Government Center

PRESENT: Vice President Linda M. Pereira, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,
Andrew J. Raposo, and Laura-Jean Washington

ABSENT: President Joseph D. Camara, Councilors Pamela S. Laliberte and
Leo O. Pelletier

IN ATTENDANCE: None

The chair called the meeting to order at 7:09 p.m. and announced that the meeting may be recorded with audio or video and transmitted through any medium.

In accordance with a resolution adopted, as amended May 8, 2012, persons are allowed to address the Council for a period of three minutes prior to the beginning or at the conclusion of business in the Committee on Finance.

1. Citizens' Input Time – Before Discussion of Financial Matters:

Len Tavares, 602 Third Street – Veterans
Robert Guineio, 258 Savoie Street – Veterans

On a motion made by Councilor Laura-Jean Washington and seconded by Councilor Shawn E. Cadime, it was unanimously voted to waive the rules regarding the time limit for both Len Tavares and Robert Guineio, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Nelson Vasquez, 210 Sunset Hill – Accountability
Joe Carvalho, 400 Columbia Street – Citizen Input
Carlos Caesar, 367 Frost Street – Clarification

On a motion made by Councilor Laura-Jean Washington and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adjourn at 7:29 p.m., with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

Packet of information from Len Tavares and Robert Guineio Re. motion for Veterans funding


Clerk of Committees

REGULAR MEETING OF THE CITY COUNCIL

MEETING: Tuesday, April 11, 2023 at 7:00 p.m.
Council Chamber, One Government Center

PRESENT: Vice President Linda M. Pereira, presiding;
Councilors Shawn E. Cadime, Michelle M. Dionne, Bradford L. Kilby,
Andrew J. Raposo, and Laura-Jean Washington

ABSENT: President Joseph D. Camara, Councilors Pamela S. Laliberte
and Leo O. Pelletier

IN ATTENDANCE: None

Vice President Linda M. Pereira called the meeting to order at 7:29 p.m. with a moment of silence followed by a salute to the flag and announced that the meeting may be recorded with audio or video and transmitted through any medium.

PRIORITY MATTERS

1. Mayor requesting confirmation of the following reappointments to the Election Commission:
 - a. Ryan Lyons

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted to approve the reappointment, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

- b. Lisa Robitaille

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Bradford L. Kilby, it was unanimously voted to approve the reappointment, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

2. Mayor requesting confirmation of the appointment of Michael Perreira to the Licensing Board

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Laura-Jean Washington, it was unanimously voted to approve the appointment, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

3. Mayor and communication re School Committee input relating to compensation adjustments

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the communication be accepted and placed on file, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

4. Mayor and proposed Fiscal Year 2024 Emergency Medical Services Budget
On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to refer the proposed budget to the Committee on Finance, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

5. Mayor and Councilor Laura-Jean Washington – proposal for Bristol County ARPA funding in the amount of \$50,000 for The Veterans' Kitchen of Fall River, Inc.
Councilor Andrew J. Raposo stated that he was unable to obtain detailed information regarding this application and would not be comfortable voting upon it until that information is provided. Councilor Laura-Jean Washington offered to answer any questions prior to the vote. Councilor Michelle M. Dionne asked if Councilor Raposo would prefer this item be tabled until he received more information. Councilor Raposo stated that he needed to review the full application and the specific use of the funding prior to voting. Councilor Washington explained that the funding would be utilized for cooking meals for veterans. Councilor Raposo asked if the application had been filed yet and Councilor Washington confirmed it had been submitted. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was voted 3 yeas, 3 nays to table the item, with Vice President Linda M. Pereira and Councilors Bradford L. Kilby and Laura-Jean Washington voting in the negative and President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting, and the motion failed to carry. A further motion was made by Councilor Bradford L. Kilby and seconded by Councilor Laura-Jean Washington to approve the application. Vice President Linda M. Pereira asked for a roll call and Councilor Shawn E. Cadime objected to the motion. As a result, the matter was laid on the table in accordance with the Charter.

6. Mayor and Community Development Agency Year Four Annual Action Plan
On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Bradford L. Kilby, it was unanimously voted to refer the item to the Committee on Finance, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

7. Mayor and resolution to adopt the City of Fall River Hazard Mitigation Plan Update
On a motion made by Councilor Michelle M. Dionne and seconded by Councilor Bradford L. Kilby, it was unanimously voted to adopt the resolution, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Approved, April 13, 2023

Paul E. Coogan, Mayor

8. Mayor and request to amend the following:
 - a. Planning Board Schedule of Fees
 - b. Zoning Board Schedule of Fees

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Michelle M. Dionne, it was unanimously voted that both items be referred to the Committee on Ordinances and Legislation, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

PRIORITY COMMUNICATIONS - None

COMMITTEE REPORTS

Committee on Finance:

Adopt:

9. Fiscal Year 2024 budgets for Water and Sewer Divisions

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Laura-Jean Washington, it was voted to adopt the budgets, with Councilor Michelle M. Dionne in opposition and President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Approved, April 13, 2023

Paul E. Coogan, Mayor

Committee on Ordinances and Legislation

Referral to the Committee on Ordinances and Legislation:

10. Resolution – Discuss creation of an ordinance to address the compensation of future School Committee members, City Councilors and Mayors

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to refer the resolution to the Committee on Ordinances and Legislation, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

ORDINANCES

11. Proposed Ordinance – Amend the name of the standing committee named “Committee on Human Services, Housing, Youth and Elder Affairs” to read as “Committee on Human Services, Housing, Youth, Elder and Veterans Affairs.”

Councilor Laura-Jean Washington asked for clarification regarding which Councilor was the Chair of this Committee. Councilor Andrew J. Raposo responded that he was the Committee Chair. On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was voted to refer the proposed ordinance to the Committee on Ordinances and Legislation, with Councilor Laura-Jean Washington opposed and President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Second reading and enrollment:

12. Proposed Ordinance – Traffic, miscellaneous

Section 1

Parking prohibited at all times:

Benton Street, North side, Starting at a point 147 feet west of Manchester Street for a distance of 50 feet west

Section 2

Thirty-minute parking:

McDonald Street, West side, Starting at a point 258 feet north of George Street for a distance of 20 feet north, Monday through Saturday 8:00 a.m. to 6:00 p.m.

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Shawn E. Cadime, it was unanimously voted to pass the proposed ordinance through second reading and enrollment, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the proposed ordinance be passed to be ordained, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Approved, April 13, 2023

Paul E. Coogan, Mayor

13. Proposed Ordinance – Traffic, miscellaneous

Section 1.

Stop intersection:

Granite Street, Eastbound, at the intersection of Rock Street

Section 2.

One-way streets:

Granite Street, Easterly, from Purchase Street to Rock Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to pass the proposed ordinance through second reading and enrollment, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Bradford L. Kilby, it was unanimously voted that the proposed ordinance be passed to be ordained, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Approved, April 13, 2023

Paul E. Coogan, Mayor

14. Proposed Ordinances – Water and Sewer Rates

On a motion made by Councilor Bradford L. Kilby and seconded by Vice President Linda M. Pereira, it was unanimously voted to pass the proposed ordinance through second reading and enrollment, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting. On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was voted that the proposed ordinance be passed to be ordained, with Councilor Michelle M. Dionne opposed and President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Approved, April 13, 2023

Paul E. Coogan, Mayor

RESOLUTIONS

15. The Committee on Finance convene with the administration to discuss if revenue from park fees can be directed toward the Park Division budget

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Laura-Jean Washington, it was unanimously voted to adopt the resolution, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Prior to the opening of the City Council Public Hearings, the following Citations were presented to the recipients and their families by Vice President Linda M. Pereira.

CITATIONS

16. Fall River Auxiliary Police Unit
- a. Deputy Chief Charles J. Cullen – Commanding Officer, 1997-2022
 - b. Sergeant Jose L. Batista, 1997-2022
 - c. Officer David L. Cabral, 2017-2022
 - d. The Late Lieutenant Lino J. Farias, 1992-2021
 - e. Sergeant Dennis R. Farland, 1999-2022
 - f. Officer Adriano A. Ferreira, 2017-2022
 - g. The Late Sergeant Steven E. Lempke, 1997-2022
 - h. Captain Carlos Pimentel 1994-2021
 - i. Officer Danish Riaz
 - j. Officer Chanda Thann
 - k. Officer Wilnelia Vargas

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the citations, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

ORDERS – HEARINGS

Curb Removal

17. Jeremy Corriveau, 146 Elizabeth Street – Removal of 8 feet at 146 Elizabeth Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Approved, April 13, 2023

Paul E. Coogan, Mayor

Auto Repair Shop:

18. Joseph D. Melo, d/b/a JDM & Sons, Inc. – 1262 Brayton Avenue

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to adopt the order, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Approved, April 13, 2023

Paul E. Coogan, Mayor

ORDERS – MISCELLANEOUS**19. Auto Repair Shop License Renewals:**

Brian Vieira d/b/a Aime's Auto Repair Inc., located at 88 Earle Street

On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Approved, April 13, 2023

Paul E. Coogan, Mayor

20. Police Chief's report on licenses:**Taxicab Driver:**

Dan P. Lockley Sherry Mann Jonathan Rivo

Second Hand License Renewals:

Curt Barreira d/b/a Jimmy Jr's Tire Service – 729 Davol Street

Joseph Bilan d/b/a BP Auto Service Repair, Inc. – 1091 South Main Street

Patendaude Jewelers, Inc. – 1473 South Main Street

Alan Confoey d/b/a Alan's Jewelry – 1661 South Main Street

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adopt the order, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

COMMUNICATIONS – INVITATIONS – PETITIONS**21. Claims**

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Shawn E. Cadime, it was unanimously voted to refer the claims to Corporation Counsel, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

22. Letter from Mark Denardo, 31 Beattie Street, re neighborhood noise from businesses

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to refer the communication to the Committee on Regulations, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

23. Drainlayer Licenses:
- a. Khoury Excavating Inc.
 - b. Joseph Botti Co., Inc.
 - c. Geologic Earth Exploration Inc.
 - d. Sherry Construction Corp.
 - e. Narragansett Improvement Company
 - f. J&R Resendes Corp
 - g. Albert Moreira & Son
 - h. MJD Excavating, Inc.
 - i. East Coast Landscaping & Construction, Inc.
 - j. Alexandre's Excavating, Inc.
 - k. Green Acres Landscaping & Construction Co., Inc.

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Shawn E. Cadime, it was unanimously voted to approve the licenses, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

Approved, April 13, 2023

Paul E. Coogan, Mayor

24. Zoning Board of Appeals Minutes – January 19, 2023

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the minutes be accepted and placed on file, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

25. Zoning Board of Appeals Minutes – February 16, 2023

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted that the minutes be accepted and placed on file, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to take items 26 through 28 together, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

City Council Minutes

26. Public Hearing – March 28, 2023

27. Committee on Finance – March 28, 2023

28. City Council – March 28, 2023

On a motion made by Councilor Shawn E. Cadime and seconded by Councilor Michelle M. Dionne, it was unanimously voted to approve items 26 through 28, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

BULLETINS – NEWSLETTERS – NOTICES – None

ITEMS FILED AFTER THE AGENDA DEADLINE
CITY COUNCIL MEETING DATE: APRIL 11, 2023

RESOLUTIONS

15a. The City Council create a program dedicating \$500,000 of Bristol County ARPA

Funding to veteran group assistance with a cap of \$50,000 per organization
Councilor Michelle M. Dionne stated that she proposed this program to benefit veterans groups and she will support any recommended amendments regarding the amount of funding that is allocated for this endeavor. Councilor Laura-Jean Washington stated she had spoken with multiple veterans groups and they all expressed concern regarding the financial limitations that are included in the resolution as these groups all have different levels of need. Councilor Bradford L. Kilby stated that a Committee could discuss this further and amend the resolution as needed. Councilor Kilby stated that the Committee on Human Services, Housing, Youth and Elder Affairs may be the correct Committee as the name will soon be changed to include veterans as well. Councilor Dionne stated that Bristol County American Rescue Plan Act funding only has \$2,000,000 left, therefore the \$500,000 would be reserved strictly for veterans. Councilor Washington emphasized that there should not be limitations for any type of organization that needs assistance. On a motion made by Councilor Bradford L. Kilby and seconded by Councilor Andrew J. Raposo, it was unanimously voted to refer the resolution to the Committee on Human Services, Housing, Youth and Elder Affairs, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

15b. The Committee on Ordinances and Legislation convene to discuss the creation of a Tax. Work Off Program for veterans

On a motion made by Councilor Andrew J. Raposo and seconded by Councilor Shawn E. Cadime, it was unanimously voted to adopt the resolution, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

A brief recess was taken from 8:04 p.m. to 8:06 p.m. for purposes of signing the Traffic as well as the Water Rate and Sewer Rate ordinances.

On a further motion made by Councilor Shawn E. Cadime and seconded by Councilor Andrew J. Raposo, it was unanimously voted to adjourn at 8:07 p.m, with President Joseph D. Camara and Councilors Pamela S. Laliberte and Leo O. Pelletier absent and not voting.

List of documents and other exhibits used during the meeting:

Agenda packet (attached)

DVD of meeting

A true copy. Attest:

Alison M Bouchard

City Clerk